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A
SERMON
PREACHED IN
SAINT MARIES

Church in OXFORD.

Vpon the Anniversary of the
GUNPOWDER-TREASON.

By JEREMY TAYLOR, Fellow of
Allsoules Colledge in OXFORD.

Nolite tangere Christos meos.



Ex dono

Authoris.

-OXFORD,

Printed by LEONARD LICHFIELD
Printer to the Vniversity.

M. DC. XXXVIII.

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Church in Oxford.

Upon the Anniversary of the
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By JEREMY BENTHAM, Fellow of
All Souls College in Oxford.

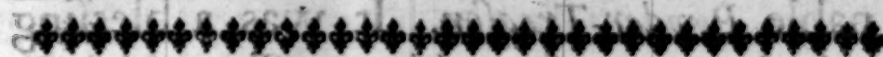


Notwithstanding Christ's mercy.



OXFORD.

Printed by J. BOWMAN & L. LICHFIELD
Printers to the University.
M.DC. XXXVIII.




TO THE
MOST REVEREND
FATHER IN GOD
WILLIAM

by Divine providence
LORD ARCH-BISHOP OF
CANTERBURY His Grace,

Primate of all *England*, and Metropolitane,
CHANCELLOUR of the University of
OXFORD, and one of his MAJESTIES
most Honourable Privy Councell.

My most Honourable good LORD.

May it please your GRACE,

T was obedience to my
Superiour that ingaged me
upon this last Anniversary
commemoration of the
great Goodnesse of God
Almighty to our King and
Country in the discouery of the most dam-
nable

nable *Powder-Treason*. It was a blessing which no tongue could expresse, much lesse mine, which had scarce learn'd to speake, at least, was most unfit to speake in the Schooles of the Prophets. *Delicata autem est illa obedientia quae causas quaerit*. It had beene no good argument of my obedience to have disputed the inconvenience of my person, and the unaptnesse of my parts for such an imployment. I knew God, out of the mouth of Infants, could acquire his praise, and if my heart were actually as *Votive* as my tongue should have beene, it might bee one of Gods *Magnalia* to perfect his owne praise out of the weaknesse and imperfection of the Organ. So as I was able, I endeavour'd to performe it, having my obedience ever ready for my excuse to men, and my willingnesse to performe my duty, for the assoylment of my selfe before God; part of which I hope was accepted, and I have no reason to thinke, that the other was not pardoned.

When I first thought of the Barbarisme
of

of this Treason, I wondred not so much at
the thing it selfe as by what meanes it was
possible for the Divell to gaine so strong a
party in mens resolutions, as to move them
to undertake a businesse so abhorring from
Christianity, so evidently full of extreame
danger to their lives, and so certainly to in-
curre the highest wrath of God Almighty.
My thoughts were thus rude at first; but af-
ter a strict inquisition I found it was appre-
hended as a businesse (perhaps full of dan-
ger to their bodies, but) advantagious to
their soules, consonant to the obligation of
all Christians, and meritorious of an excee-
ding weight of Glory, for now it was come
to passe which our dear Master foretold, *men
should kill us, and thinke they did God good ser-
vice in it.* I could not thinke this to be a part
of any mans religion, nor doe I yet believe
it. For it is so apparently destructive of our
deare Master his Royall lawes of *Charity &
Obedience*, that I must not be so uncharitable
as to thinke they speake their owne minde
truly, when they professe their beliefe of

the lawfullnesse and necessity in some cases
of rebelling against their lawfull Prince, and
using all meanes to throw him from his
kingdome, though it be by taking of his life.
But it is but iust that they who breake the
bonds of duty to their Prince, should like-
wise forfeit the lawes of charity to them-
selves, and if they say not true, yet to bee
more uncharitable to their owne persons,
then I durst be, though I had their own war-
rant. Briefly (Most R. Father) I found a-
mongst them of the Roman party such pre-
vailing opinions, as could not consist with
loyalty to their Prince, in case hee were not
the Popes subiect, and these so generally be-
lieved, and somewhere obtruded under pe-
rill of their soules, that I could not but point
at these dangerous rocks, at which I doubt
not, but the loyalty of many hath suffered
shipwrack, and of thousands more might,
if a higher *Starre* had not guided them bet-
ter, then their owne Pilots.

I could not therefore but thinke it very
likely that this Treason might spring from
the

the same Fountaine, and I had concluded so
in my first meditations, but that I was wil-
ling to consider, whether or no it might not
bee that these men were rather exasperated
then perswaded, and whether it were not
that the severity of our lawes against them
might rather provoke their intemperate zeal,
then religion thus move their settled consci-
ence. It was a materiall consideration, be-
cause they ever did and still doe fill the world
with outcries against our lawes for making
a rape upon their consciences, have printed
Catalogues of their English Martyrs, drawn
Schemes of most strange tortures imposed
on their Priests, such as were unimaginable,
by *Nero*, or *Dioclesian*, or any of the worst
and cruellest enemies of Christianity, endea-
vouring thus to make us partly guilty of our
ovne ruine, and so washing their hands in
token of their ovne innocency, even then
when they were dipping them in the blood
Royall, and would have emptyed the best
veynes in the whole Kingdome to fill
their *Lavatory*. But I found all these to be
but

but Calumnies, strong accusations upon weake presumptions, and that the cause did rest where I had begun, I meane, upon the pretence of the *Catholique cause*, and that the imagin'd iniquity of the Lawes of England could not be made a vaile to cover the deformity of their intentions, for our Lawes were just, Honourable, and Religious.

Concerning these and some other appendices to the businesse of the day; I expressed some part of my thoughts, which because happily they were but a just truth, and this truth not unreasonable for these last times, in which (as S. Paul prophecyed) *men would be fierce, Traytors, heady, and high minded, creeping into houses, leading silly women captive*, it pleased some who had power to command me, to wish me to a publication of these my short and sudden meditations, that (if it were possible) even this way I might expresse my duty to God and the King.

Being thus farre encouraged, I resolved to goe something further, even to the boldnesse of a dedication to your Grace, that since

I had no merit of my own to move me to the confidence of a publike view, yet I might dare to venture under the protection of your *Graces* favour. But since my boldnesse doth as much neede a defence, as my Sermon a Patronage, I humbly crave leave to say, that though it be boldnesse, even to presumption, yet my addresse to your *Grace* is not altogether unreasonable.

For since all know that your *Grace* thinks not your life your owne, but when it spends it selfe in the service of your *King*, opposing your great endeavours against the ze-
lots of both sides who labour the disturbance of the Church and State, I could not think it ἀπροσδιόνυσον to present to your *Grace* this short discovery of the *Kings* enemies, ὡς ἑπικυρίαν βασιλικὴν φιλοβασιλεῖ, and proper to your *Grace* who is so true, so zealous a lover of your Prince and Country. It was likewise appointed to be the publike voice of thanksgiving for your *Univerfity* (though she never spake weaker then by so meane an instrument) and therefore is accountable to your

B

Grace

Grace to whom under God and the King
we owe the Blessing and Prosperity of all
our Studies. Nor yet can I choose but hope,
that my Great Obligations to your *Grace's*
Favour may plead my pardon, (since it is bet-
ter that my Gratitude should be bold, than my
diffidence ingratefull) but that this is so farre
from expressing the least part of them, that
it layes a greater bond upon me, either for
a debt of delinquency in presenting it, or of
thankfulnesse, if your *Grace* may please to
pardon it.

I humbly crave your *Grace's* *Benediction*, par-
don, and acceptance of the humblest duty
and observance of

YOUR GRACES:

most observant and obliged

CHAPLAINE

HER. TAYLOR.



A S E R M O N
PREACHED VPON THE
Anniversary of the
GUNPOWDER-TREASON.

Lux. 9. Cap. vers. 54.

*But when Iames and Iohn saw this, they said, Lord,
wilt thou that we command fire to come from
Heaven and consume them even as Elias did?*

I Shall not need to strain much to
bring my Text and the day together,
Here is fire in the text, consuming fire,
likethat whose *Antevorta* we doe this
day commemorate. This fire called
for by the Disciples of Christ: so was ours too; by
Christs Disciples at least, and some of them intitled
to our Great Master by the compellation of his ho-
ly name of Iesus.

Verse 53.

I would say the paralell holds thus farre, but that the persons of my Text, however *Boanerges*, sonnes of thunder and of a reproveable spirit, yet are no way considerable in the proportion of malice with the persons of the day. For if I consider the cause that mov'd *Iames* and *Iohn* to so inconsiderate a wrath, it beares a fair excuse: The men of *Samaria* turn'd their Lord and Master out of doores, denying to give a nights lodging to the Lord of Heaven and Earth. It would have disturbed an excellent patience to see him, whom but just before they beheld transfigured, and in a glorious Epiphany upon the Mount, to be so neglected by a company of hated *Samaritans*, as to be forc'd to keep his vigils where nothing but the welkin should have been his roofe, not any thing to shelter his precious head from the descending dew of heaven. --- *Quis talia fando*

Temperet?

It had been the greater wonder if they had not been angry. But now if we should levell our progresse by the same line and guesse that in the present affaire there was an equall cause, because a greater fire was intended, wee shall too much betray the ingenuity of apparent truth, and the blessing of this *Anniversary*. They had not halfe such a case for an excuse to a farre greater malice; it will prove they had none at all, and therefore their malice was somuch the more malicious because causelesse and totally inexcusable.

However, I shall endeavour to joyne their consideration

deration in as neere a paralell as I can; which if it be not exact (as certainly it cannot, where we have already discovered so much difference in degrees of malice,) yet by laying them together we may better take their estimate, though it be only by seeing their disproportion.

The words as they lay in their own order, point out, 1. The persons that ask't the question. 2. The cause that mov'd them. 3. The person to whom they propounded it; 4. The Question it selfe. 5. And the precedent they urg'd to move a grant, drawn from a very fallible Topick, a singular Example, in a speciall and different case. The persons here were Christs Disciples; and so they are in our case, design'd to us by that glorious Sir-name of *Christianity*: they will be called Catholiques, but if our discovery perhaps rise higher, and that the See Apostolique prove sometimes guilty of so reproveable a spirit, then we are very neer to a paralell of the persons, for they were Disciples of Christ, & Apostles. 2. The cause was the denying of toleration of a bode upon the grudge of an old schisme, Religion was made the instrument. That which should have taught the Apostles to be charitable, and the *Samaritans* hospitable, was made a pretence to justify the unhospitableness of the one and the uncharitableness of the other. Thus farre we are right, for the malice of this present Treason, stood upon the same base. 3. Although neither Side much doubted of the lawfulness of their proceedings; yet *S. Iames*

and S. *Iohn* were so discreet as not to think themselves infallible, therefore they ask'd their Lord: so did the persons of the day, aske the question too, but not of Christ, for he was not in all their thoughts; but yet they ask'd of Christs Delegates, who therefore should have given their answer *ex eodem tripode*, from the same spirit. They were the Fathers *Confessors* who were ask'd. 4. The question is of both sides concerning a consumptive sacrifice, the destruction of a Towne there, of a whole Kingdome here, but differing in the circumstance of place whence they would fetch their fire. The Apostles would have had it from Heaven, but these men's conversation was not there. Τα ὑποδία, things from beneath, from an artificiall hell, but breath'd from the naturall and proper, were in all their thoughts. 5. The example, which is the last particular, I feare I must leave quite out, and when you have considered all, perhaps you will look for no example.

First of the persons; they were Disciples of Christ and Apostles. [*But when James and Iohn saw this,*] When first I considered they were Apostles, I wondered they should be so intemperatly angry; but when I perceived they were so angry, I wondred not that they sinned. Not the priviledge of an Apostolicall spirit, not the nature of Angels, not the condition of immortality can guard from the danger of sinne, but if we be overrul'd by passion, we almost subject our selves to its necessity. It was not therefore without reason altogether, that the Stoicks affirm'd

firm'd wisemen to be void of passions, for sure I am, the inordination of any passion is the first step to folly. And although of them, as of waters of a muddy residence wee may make good use, and quench our thirst, if wee doe not trouble them, yet upon any ungentle disturbance we drinke down mud instead of a cleere streame, and the issues of sinne and sorrow, certaine consequents of temerarious or inordinate anger. And therefore when the Apostle had given us leave to *be angry*, as knowing the condition of human nature, hee quickly enters a *Caveat* that we sinne not; hee knew sinne was very likely to be hand-maid where *Anger* did domineer, and this was the reason why *S. James* and *S. Iohn* are the men here pointed at, for the Scripture notes them for *Boanerges*, sonnes of thunder, men of an angry temper, & *quid mirum est filios tonitrui fulgurasse voluisse?* said *S. Ambrose*. But there was more in it then thus. Their spirits of themselves hot enough, yet met with their education under the Law, (whose first tradition was in fire and thunder, whose precepts were just but not so mercifull,) and this inflam'd their distemper to the height of a revenge. It is the Doctrine of *S.^a Hie.* ^{a Epist. ad Al-} *rome* and *b Titus Bostrensis*; The Law had beene their ^{L^{as}.} Schoole-master, and taught them the rules of justice ^{b in Lucan.} both Punitive and *Vindictive*: But Christ was the first that taught it to be a sinne to retaliate evill with evill, it was a Doctrine they could not read in the killing letter of the Law. There they might meete with precedents of revenge and anger of a high severity.

verity, an eye for an eye, and a tooth for a tooth, and let him be cut off from his people: But forgiving injuries, praying for our persecutors, loving our enemies, and relieving them, were Doctrines of such high and absolute integrity, as were to be reserved for the best and most perfect *Law-giver*, the bringer of the best promises, to which the most perfect actions have the best proportion; and this was to be when *Shiloh* came. Now then the spirit of *Elias* is out of date,

---- *Iam ferrea primum*

Desinit, ac toto surgit Gens Aurea Mundo.

And therefore our blessed Master reproveth them of ignorance, not of the Law, but of his spirit, which had they but known or could but have guessed at the end of his coming, they had not been such *Abecedarij* in the Schoole of Mercy.

And now we shall not need to look farr e for persons, Disciples professing at least in Christs schoole, yet as great strangers to the mercifull spirit of our Saviour, as if they had been sonnes of the Law, or foster-brothers to *Romulus* and suck't a wolfe, and they are *Romanists* too; this daies solemnity presents them to us, *πῆλ' ἀμαρτυροῦμεν*, & yet were that wash'd off, underneath they write *Christian* and *Iesuit*.

One would have expected that such men, set forth to the worlds acceptance with so mercifull a *cognomentum*, should have put a hand to support the ruinous fabrick of the worlds charity, and not have pulled the frame of heaven & earth about our eares.

But

But yet. - *Nec credite Teucris!* Give me leave first to make an *Inquisition* after this *Antichristian* pravity, and try who is of our side, and who loves the King, by pointing at those whose Sermons doe blast *Loyalty*, breathing forth *Treason*, slaughters and cruelty, the greatest imaginable contrariety to the spirit and Doctrine of our *Dear Master*. So we shall quickly finde out more then a pareil for *S. Iames* and *S. Iohn* the Boanerges of my Text.

It is an act of faith, by faith to conquer the enemies of God and Holy Church, saith Sanders our Country- *Sanderus de Clave David Lib. 2. c. 15.*
man. Hitherto nothing but well; If *Iames* and *Iohn* had offered to doe no more then what they could have done with the sword of the spirit and the shield of Faith, they might have beene inculpable, and so had he if hee had said no more; but the blood boyles higher, the manner spoyles all. For it is not well done unlesse a warlike Captaine be appointed by Christs Vicar to beare a Croisade in a field of blood. And if the other Apostles did not proceed such an angry way as *Iames & Iohn*, it was only discretion that detain'd *Ibid. cap. 14.* them, not religion. For so they might, and it were no way unlawfull for them to beare armes to propagate Religion, had they not wanted an opportunity; if you believe the same author: for fighting is proper for *S. Peter* and his Successors, therefore because Christ gave him Commission to feed his Lambs. A strange reason!

I had thought Christ would have his Lambes fed with the sincere milk of his word, not like to Cannibals,

solūtūq; cruentum

Lac potare Getis, & poculatingere venis;
To mingle blood in their sacrifices (as *Herod* to the *Galileans*) and quaffe it off for an *auspicious* to the propagation of the Christian faith. Me thinks here is already too much clashing of armour and effusion of blood for a Christian cause; but this were not altogether so unchristian-like, if the sheepe, though with blood, yet were not to be fed with the blood of their sheeheard *Cyrus*, I meane their Princes. But I finde many such *Nutritij* in the Nurseries of *Rome*, driving their Lambes from their folds unlesse they will be taught to wory the Lion.

*Tyrannice gubernans iuste
acquisitum
dominium non
potest spoliari
sine publico
iudicio: Latā
verō sententiā
quisq; potest
feri executor.
Potest autem
a populo etiam
qui iuravit
ei obedientiam,
simoniacus non vult
corrigi. Verb.
Tyrannus.*

Emanuel Sà, in his *Aphorismes*, affirmes it lawfull to kill a King, indeed not every King, but such a one as rules with Tyranny, and not then, unlesse the Pope hath sentenc'd him to death, but then he may, though he be his lawfull Prince. Not the necessity which the Law of nations hath put betweene Prince and people, not the obligation of the oath of Allegiance, not the Sanctions of God Almighty himselfe, must reverse the sentence against the King when once past, but any one of his subjects, of his owne sworne subjects, may kill him.

*Presertim
cum in hoc o-
pus per annos
ferè quadra-
ginta diligen-
tissime incu-
buerim.*

This perfidious treasonable position of *Sà*, is not a single Testimony. For 1. it slipt not from his pen by inadvertency; it was not made publique, untill after forty yeares deliberation, as himselfe testifies in his Preface. 2. After such an *avisamente* it is now the ordinary receiv'd manuell for the *Fathers Confessors* of the *Iesuits Order*. This

This Doctrine, although--- *Titulo res digna sepulchri*--- yet is nothing if compared with *Mariana*. For
 1. he affirms the same Doctrine in substance. 2. Then he descends to the very manner of it, ordering how it may be done with the best convenience: He thinks poyson to be the best way, but yet that for the more secrecy, it be cast upon the chayres, saddles, and garments of his Prince. It was the old laudable custome of the *Moors of Spaine*. 3. Hee addes examples of the businesse, telling us that this was the device, to wit, by poyson'd boots, that old *Henry of Castile* was cur'd of his sicknesse. 4. Lastly, this may be done, not only if the Pope judge the King a Tyrant (which was the utmost *Emanuel Sa* affirm'd) but it is sufficient prooffe of his being a Tyrant if learned men, though but few, and those seditious too doe but mutmure it, or beginne to call him so. I hope this Doctrine was long since disclaim'd by the whole Society, and condemned *ad umbras Acherunticas*. Perhaps so, but yet these men who use to object to us an infinity of divisions among ourselves, who boast so much of their owne Union and consonancy in judgment, with whom nothing is more ordinary then to maintaine some opinions quite throughout their Order (as if they were informed by some common *Intellectus agens*) should not be divided in a matter of so great moment, so much concerning the Monarchy of the *See Apostolike*, to which they are vowed leigemen. But I have greater reason to believe them United in this Doctrine, then

*De Rege &
R. instituit,
lib. 1. c. 6.*

*Qui est l'ar-
tifice dont ie
trouve que le
Rois Moors
ont souvent
use.
Cap. 7.*

*Postquam a
paucis seditio-
fis, sed doctis
Acceperit Ty-
rannus appel-
lari.*

is the greatnesse of this probability. For 1. There was an *Apology* printed in *Italy*, *permissu superiorum*, in the yeare 1610. that sayes, *They were all enemies of that holy Name of Iesus that condemned Mariana for any such Doctrine.* I understand not why, but sure I am that the *Iesuits* doe or did thinke his Doctrine innocent: for in their *Apology* put forth in the name of the whole Society against the accusations of *Anticoton*, they deny that the *Assasine* of *Henry 4.* I meane *Ravaillac*, was mov'd to kill the King by reading of *Mariana*, and are not ashamed to wish that he had read him. Perhaps they meane it might have wrought the same effect upon him which the sight of a drunkard did upon the youth of *Lacedaemon*, else I am sure it is not very likely he should have beene dissuaded from his purpose by reading in *Mariana* that it was lawfull to doe what he intended. 3. I adde they not only thought it innocent, and without positive hurt, but good and commendable; so that it is apparent that it was not the opinion of *Mariana* alone, but that the *Moore*s of *Spaine* had more disciples then *Mariana*. 1. Hee sayes it himselve, for commending the young Monke that killed *Henry 3.* he sayes, he did it *having beene informed by severall Divines that a Tyrant might lawfully be killed.* 2. The thing it selfe speaks it, for his book was highly commended by *Gretser* & *Bonarsci* both for stile & matter, higher yet by *Petrus de Onna*, provinciall of *Toledo* who was so highly pleased with it, hee was sorry hee wanted leisure to read it the second and third.

Quodammodo oporandum esse ut ille A-laster Marianam legisset.

Cap. 6.
Cum cognito
Theologi quos
erat sciscita-
tus, Tyrannum
jure interimi
posse.

a Chauvesau-
ris polit.
b Amphib.
honoris lib. 1.
cap. 12.
c Iterum &
tertio facturum
super otium
& tempus li-
guisset.

third time over, and with this censure prefixed was
 licens'd to the Presse. Further yet, for *Steven Hoyeda*
 Visitor of the *Iesuits* for the same Province appro-
 ved it not only from his own judgment, but as being *Ut approbatus*
 before approved by grave and learned men of the *prius a viris*
Iesuits Order, and so with a speciall commission *Doctis &*
 from *Claudius Aquaviva* their generall, with these *gravibus ex*
 approbations and other solemne Priviledges it was *eodem nostro*
 Printed at ^a *Toledo* and ^b *Mentz*; and lastly inserted *Ordine.*
 into the Catalogues of the Books of their Order ^a By *Petrus*
 by *Petrus Ribadineira.* ^b *Rhodriques.*
 1599.
 b By *Balth.*
Lippius 1605

What negligence is sufficient that such a Doctrine
 as this should passe so great supravilors, if in their
 hearts they disavow it? The children of this world
 are not such fooles in their generations. The Fathers
 of the Society cannot but know how apt these things
 of themselves are to publike mischief, how invi-
 dious to the Christian world, how scandalous to
 their Order; and yet they rather excuse then con-
 demne *Mariana*: speaking of him at the hardest but
 very gently, as if his only fault had beene his spea-
 king a truth *in tempore non opportuno*, something out
 of season, or as if they were forc'd to yeelde to the
 current of the times, and durst not professe openly
 of what in their hearts they were perswaded. I speak
 of some of them, for others you see are of the same
 opinion. But I would faine learne why they are so
 sedulous and carefull to procure the decrees of the
Rector & Deputies of Paris, Rescripts of the Bishop,
 Revocation of Arrest of the Parliament which had

been against them, and all to acquit the Fathers of the Society from these scandalous opinions; as if these laborious devices could make what they have said and done, to be unspoken and undone, or could change their opinions from what indeed they are, whereas they never went *ex animo* to refute these Theorems, never spake against them in the reall and serious dialect of an adversary, never condemned them as hereticall, but what they have done they have been sham'd to, or forc'd upon, as *Pere Coton* by the King of France, and *Servino* to a confutation of *Mariana*, (from which he desir'd to be excused, and after the Kings death, writ his declaratory letter to no purpose;) the *Apologists* of *Paris* by the outcries of Christendome against them; and when it is done, done so coldly in their reprehensions with a greater readinesse to excuse all, then condemne any, I say these things to a considering man doe increase the suspicion if at least that may be called suspicion for which we have had so plain testimonies of their own.

I adde this more, to put the businesse past all question, that when some things of this nature were objected to them by *Arnald* the French Kings Advocate, they were so farre from denying them or excusing them, that they maintained them in spite of opposition, putting forth a Book intitled *Veritas defensa contra actionem Antonii Arnaldi*. What the things were for which they stood up patrons, heare

Pag. 7. 1. edit. themselves speaking. *Tum enim id non solum potest*

Papa

Papa, sed etiam debet se ostendere superiorem illis
[Principibus.] Exceptio hac stomachum tibi commo-
vet, facit ut ringaris, sed oportet haurias, & de ca-
tero fatearis tibi nec rationem esse, nec conscientiam.
 Hard words these! The Advocate is affirm'd to be
 void both of reason and honesty for denying the
 Popes dominion over Kings. The reason followes,
The Pope could not keep them to their duties, unless he
kept them in awe with threatening them the losse of
their Kingdomes. But this is but the least part of it. *Pag. 67. l. e.*
 They adde, *If the subjects had been but disposed as*
they should have been, there was no time but it might
have been profitable to have exercised the sword upon
the persons of Kings. Let them construe their mean-
 ing, those are their words. But see farther.

The damned act of *Iaques Clement* the Monk up-
 on the life of *Henry* the third of France, of *Jean Cha-*
ssel and *Ravaillac* upon *Henry* the fourth, are notori-
 ous in the Christian world, and yet the first of these
 was commended by * *F. Guignard* in a discourse of
 purpose, & by *Mariana* as I before cited him. The se-
 cond had two Apologies made for him, the one by
 * *Constantinus Veruna*, the other without a name in-
 deed, but with the marke and cognizance of the Je-
 suits order, and the last was publicly commended
 in a Sermon by a Monk of *Colein*, as it is reported by
 the excellent *Thuanus*.

* Voyez le
 proces de Par-
 liam. de Paris
 contre le pere
 Guignard pre-
 stre Jesuit.
 a Vid. cap. 3.
 b Lugduni de
 iusta abdica-
 tione Henr. 3.
 1610.

Not much lesse then this is that of *Baronius*, just
 I am sure of the same spirit with *James* and *John*, for
 he calls for a ruin upon the *Venetians* for opposing
 of.

of his Holinesse. Arise Peter, not to feed the swan-
 dring sheep, but to destroy them, throw away thy Pastro-
 rals staffe and take thy sword. I confesse here is some
 more ingenuity, to oppose Murdering to Feeding
 then to make them all one, as Sanders doth, but yet
 the same fiery spirit inflames them both, as if all
 Rome were on fire, and would put the world in a
 combustion.

De clave Da-
 vid cap. 14.
 Vide pag. 7.

Arrest. de
 Parliam. 7. de
 Tanu. 1595.

aExpositul. A-
 pologet. pro
 Societ. Iesus.
 bAmphith. ho-
 nor. lib. 1.

Farther yet. Guignard a Iesuit of Clerimont Col-
 ledge in Paris was executed by command of the
 Parliament for some conclusions he had writ which
 were of a high nature treasonable, and yet as if, ei-
 ther there were an infallibility in every person of
 the Society, or as if the Parliament had done in ju-
 stice in condemning Guignard, or lastly as if they ap-
 proved his Doctrine, hee was Apologiz'd for by
 a Lewes Richeome, and b Bonarscius. I know they will
 not say that every Iesuit is infallible, they are not
 come to that yet, it is plain then they are of the same
 mind with Guignard, or else (which I think they
 dare not say) the Parliament was unjust in the con-
 demnation of him, but if they doe, they thus pro-
 claim their approbation of these Doctrines he was
 hanged for; for that he had such, was under his own
 hand, by his own confession, and of it selfe evident;
 as is to be seen in the Arrest of the Parliament a-
 gainst him.

Lastly, more pertinent to the day is the fact of
 Garnet, who because a Iesuit could have done no-
 thing for which he should not have found an Apo-
 logist

logist, for even for this his last act of high treason he was Apologiz'd for, by ^a Bellarmine, ^b Gretser, & ^c Eudemon Iohannes.

^a Apol. adv.
R. Anglie.

^b Stigma. Mt-
seric.

^c Apol. pro
Garnetto.

Thus farre we have found out persons fit enough to match any malice; Boanerges all, and more then a pareil for *Iames* and *Iohn*: but I shall anon discover the disease to be more *Epidemicall*, and the pest of a more *Catholike* infection, and yet if we summe up our accounts, we shall already finde the doctrine to be too *Catholike*. For we have already met with *Emanuel* Sa a Portugall, *Mariana* & *Ribadineira* Spaniards, *Bonarcius* a bas Almain, *Gretser* a German, *Eudemon Iohannes* a false Greek, *Guignard*, *Richeome* and the *Apologists* for *Chastell*, Frenchmen, *Bellarmino* and *Baronius*, Italians, *Garnet* and *Sanders*, English.

The Doctrine you see they would fain make *Catholike*, now if it prove to be but *Apostolique* too, then we have found out an exact paralell for *Iames* and *Iohn*, great Disciples and Apostles, and whether or no the See *Apostolique* may not sometime be of a fiery and consuming spirit, we have so strange examples, even in our own home, that wee need seek no farther for resolution of the *Quare*. In the Bull of excommunication put forth by *Pius quintus* against *Q. Elizabeth* of blessed memory, there is more then a naked encouragement, as much as comes to a *Volumus & Iubemus ut adversus Elizabetham Anglia Reginam subditi arma capeffant. Bone Iesu! in qua nos reservasti tempora?* Here is a command to turne re-

D

bels,

bels, a necessity of being Traitors. *Quid ea infelicitas, cui iam esse malum necesse est?*

The businesse is put something farther home by Catena and Gabutius, who writ the life of *Pius quintus*, were resident at Rome, one of them an advocate in the Roman Court; their Bookes both printed at Rome, *con licenza*, and *con privilegio*. And now hear their testimonies of the whole businesse between the Queen and his Holinesse.

1588.
1605.

Pius quintus published a Bull against Q. Elizabeth, declared her a Heretique, and deprived her of her Kingdome, absolv'd her subiects from their oath of Allegiance, excommunicated her, and gave power to any one to rebell against her &c. This was but the first step, he therefore thus proceeds, He procures a gentleman of Florence to move her Subiects to a rebellion against her for her destruction. Farther yet, he thought this would be such a reall benefit to Christendome to have her destroyed, that the Pope was ready to aid in person, to spend the whole revenew of the See Apostolique, all the Chalicees and crosses of the Church, and even his very cloths to promote so pious a businesse as was the destruction of Q. Elizabeth.

Pio publicò una bolla & sentenzia contra Elisabetta, dichiarandola heretica, & priva del regno, ... in tal forma concedendo che ciascuno andava contra lei potesse &c. Girolamo Catena p. 114. Il quale ... muovesse gli animi al sollevamento per distruttione d' Elisabetta. Pag. 113. L' andare in persona, impegnare tutte le sostanze della sede Apostolica, & calici, e i proprii vestimenti. Pag. 117. b De vita & Gestis Pii 5. lib. 3. cap. 9.

The witnesses of truth usually agree in one. The same story is told by *Antonius Gabutius*, and some more circumstances added. First he nates the end of the Popes designe, it was to take her life away, in case she would not turn Roman. Catholique. To at-

chieve

chieve this, because no Legat could come into England, nor any publique messenger from the See Apostolique he employed a Florentine Merchant to stirre her subjects to a rebellion for her perdition. Nothing but Sol-
 levamento, Rebellion, Perdition and destruction to the Queen could be thought upon by his Holinesse.

Qui incolarū
 animos ad E-
 lizabethæ
 perditionem,
 rebellionem fa-
 ctā commove-
 ret.

More yet; for when the Duke of Alva had teiz'd upon the English Merchants goods which were at Antwerp, the Pope took the occasion, instigated the King of Spain to aid the pious attempts of those who conspir'd against the Queen: they are the words of Gabutius. This rebellion was intended to be under the conduct of the Duke of Norfolk, Viro Catholico, a Roman Catholique, Gabutius notes it, for fear some Heretik might be suspected of the designe, and so the Catholiques loose the glory of the action.

Efflagitabat
 ab Rege ut
 Anglorum in
 Elizabetham
 pie conspiran-
 rium studia
 foveret.

However Pius quintus intended to use the utmost and most extreme remedies to cure her heresy, & all means to increase and strengthen the rebellion. I durst not have thought so much of his Holinesse, if his own had not said it; but if this be not worse then the fiery spirit which our blessed Saviour reproved in James and John, I know not what is.

I have nothing to doe to specify the spirit of Paulus quintus in the Venetian cause; this only, Baronius propounded the example of Gregory the seventh to him, of which how farre short he came, the world is witness. Our own businesse calls to mind the Bulls of Pope Clement the eight, in which the Catholiques in England were commanded to see that

Hildebrand.

however the right of succession did intitle any man to the Crown of *England*, yet if he were not a *Catholique*, they should have none of him, but with all their power they should hinder his coming in. This Bull *Bellarmino* doth extreamly magnify, and indeed it was for his purpose, for it was (if not author) yet the main encourager of *Catesby* to the Powder Treason. For when *Garnet* would willingly have known the Popes minde in the businesse, *Catesby* eased him of the trouble of sending to *Rome*, since the Popes mind was cleere. I doubt not (said *Catesby*) at all of the Popes mind, but that he, who commanded our endeavours to hinder his coming in, is willinge-nough we should throw him out. It was but a reasonable collection.

*Proced. agt.
Taylors.*

I shall not need to instance in the effects which this Bull produc'd, the Treason of *Watson & Clark*; two English *Seminaries* are sufficiently known, it was as a *Praludium* or warning peice to the great *Fougade*, the discharge of the Powder Treason; Briefly, the case was so, that after the Publication of the Bull of *Pius quintus*, these *Catholiques* in *England* durst not be good Subjects till *F. Parsons* and *Campion* got a dispensation that they might for a while doe it, and *rebus sic stantibus* with a safe conscience professe a generall obedience in causes Temporal: and after the Bull of *Clement* a great many of them were not good subjects, and if the rest had not taken to themselves the Priviledge which the Pope sometimes gave to the Arch-bishop of *Ravenna*, ei-

Innoc. Decretal de rescript cap. si quando

howev

2 C

ther

ther to doe as the Pope bid them, or to pretend a reason why they would not: we may say as *Creswell* in defence of *Cardinall Allen*; Certainly we might have had more bloody tragedies in England, if the moderation of some more discreetly temperd had not been interposed. However it is no thank to his Holinesse, his spirit blew high enough.

Philop pag. 212, n. 306.

But I will open this secret no farther, if I may have but leave to instance once more. If I mistake not, it was *Sixtus Quintus* who sometimes pronounced a speech in full Consistory, in which hee compares the assassinat of *Iaques Clement* upon *Henry the third*, to the exploits of *Eleazar & Judith*, where after having aggravated the faults of the murdered King, concluded him to have died impenitent, denyed him the solemnities of *Masse, Dirge* and *Requiem*, for his soule, at last he ends with a prayer, that God would finish what in this (bloody) manner had been begun. I will not aggravate the foulness of the thing by any circumstances (though I cannot but wonder that his Holinesse should say a prayer of so much abomination,) it is of it selfe too bad.

Sep. 11. 1589

If his Holinesse be wrong'd in the businesse I have no hand in it; the speech was printed at *Paris* three months after the murder of the King, and avouched for authentick by the approbation of three Doctors, *Boucher, Decreil, and Ancelein*; let them answer it, I wash my hands of the accusation, and only consider the danger of such Doctrines, if set forth with so great authority and practis'd by so uncontrollable

By Nichol. Nivelle, and Rollin Thierry.

If

If the Disciples of Christ, if Apostles, if the *See Apostolique*, if the fathers *Confessors* prove *Boutefeu's* and Incendiaries, I'll no more wonder if the people call for fire to consume us, but rather wonder if they doe not. And indeed although it be no rare or unusual thing for a Papist to be *de facto* loyall and dutious to his Prince, yet it is a wonder that he is so since such Doctrines have beene taught by so great Masters, and at the best hee depends but upon the Popes pleasure for his Loyalty, which upon what security it rests, you may easily guesse from the antecedents.

Thus much for consideration of the persons who ask'd the Question; they were Christs Disciples, they were *James* and *Iohn*.

But when *James* and *Iohn* [*saw this*] Our next inquiry shall be of the cause of this their angry Question. This we must learne from the fore-going story. Christ was going to the feast at Ierusalem, and passing through a Village of *Samarita* ask'd lodging for a night, but they perceiving that hee was a Jew would by no meanes entertaine him, as being of a different Religion. For although God appointed that all of the seed of *Iacob* should goe up to *Ierusalem* to worship, *ἀπερὸν γὰρ ἐστὶν τὸ πρὸς αὐτοὺς*, yet the Tribes of the separation first under *Ieroboam* worship'd in Groves and High places, and after the captivity being a mixt people, halfe Jew, halfe Gentile, procur'd a Temple to be built them by *Sanballat* their President, neare the City *Sichem* upon the mountaine

Ver. 50.]

*Chrysost. in
hunc locum.*

*Iosephi antiq.
Lib. 11. c. 6.*

mountaine *Gerezim*, stiling themselves *pertinentes* Possellus de
ad Montem benedictum, by allusion to the words of
linguis. lib. 12.
Deut. 27.
God by *Moses*, they shall stand upon the Mount *Gere-
rezim* to blesse the people, and these upon Mount *E-
bal* to curse. And in case arguments should faile to
make this schisme plausible, they will make it good
by turning their Adversaries out of doores. They
shall not come neere their blessed Mount of *Gere-
zim*, but fastning an *Anathema* on them let them goe
to *Ebal*, and curse there. And now I wonder not that
these Disciples were very angry at them who had
lost the true Religion, and neglected the offices of hu-
manity to them that kept it. They might goe neere
now to make it a cause of Religion; οὐκ ἔστιν ὁρμητὶς
ἐν οὐσίᾳ (as *Nazianzene* speaks) might seem to *Apolo-* Orat. 12.
gize for them, and so it might if it had not led them
to indiscreet and uncharitable zeale. But men care
not how farre they goe if they doe but once thinke
they can make God a party of their Quarrell. For
when Religion which ought to be the antidote of
our malice, proves its greatest incentive, our uncha-
ritableness must needs runne faster to a mischief,
by how much that which stopt it's course before,
drives it on with the greater violence. And therefore
as it is ordinary for charity to be called coldnesse
in Religion, so it is as ordinary for a pretence of Re-
ligion to make cold charity.

The present case of the Disciples and the same
spirit which, for the same pretended cause, is taken up
by the persons of the day, proves all this true; with
whom

Decret. Carol.
quinti, pro
Flandris.

Orat 2. in Lu-
li an.

Vid. L. Bur-
leighs booke
called Execu-
tion for Treas-
on nor reli-
gion. King
James his de-
claration to
all Christian
Kings and
Princes, and
the Lord
Archbishop of
Canterbury
his speech in
Starre-cham-
ber in Bur-
tons case.

whom fire and fagot is esteem'd the best argument to convince the understanding, and the *Inquisitors* of hereticall pravity, the best Doctors and subtlest Disputants, determining all with a *Viris ignem, fossa mulieribus*. For thus wee had like to have suffered, it was mistaken Religion that mov'd these Traytors to so damnable a Conspiracy, not for any defence of their owne cause, but for extirpation of ours. For else what grievances, did they groan under? *In quos eorum populum exastuantem sollicitavimus? quibus vita periculum attulimus?* It was *Nazianzen's* question to the *Apostate*. Give me leave to consider it as appliable to our present case, and try if I can make a just discovery of the cause that mov'd these Traytors to so accursed a Conspiracy.

I Then there was no cause at all given them by us; none put to death for being a *Roman Catholique* nor any of them punish'd for his Religion.

This hath beene the constant attestation of our Princes and State since the first Lawes made against *Recusants* & the thing it selfe will bear them record.

From *primo* of *Elizabeth* to *undecimo*, the Papists made no scruple of comming to our Churches, *Recusancy* was not then so much as a *Chrysome*, nor an *Embryo*. But when *Pius quintus* sent forth his *Breves* of Excommunication and Deposition of the Queen, then first they forbore to pray with us, or to have any religious communion. This although every where knowne, yet being a matter of fact and so as likely to be denied by others as affirmed by us without

without good evidence, see it therefore affirmed expressly by an Act of Parliament in *Decimo tertio* of *Elizabeth*, which specifies this as one inconvenience and ill consequence of the *Bull*. [Whereby hath grown great disobedience and boldnesse in many, not only to withdraw and absent themselves from divine service, now most Godly set forth and used within this Realme, but also have thought themselves discharged of all obedience &c.] Not only Recusancy, but likewise disobedience; therefore both Recusancy and disobedience.

Two yeares therefore after this *Bull*, this Statute was made if it was possible to nullify the effects of it, to hinder its execution, and if it might be, by this meanes to keep them, as they had been before, in Communion with the Church of *England*, and obedience to her Majesty. This was the first Statute that concerned them in speciall, but yet their Religion was not medled with; For this Statute against execution of the Popes *Bulls* was no more the what had been established by Act of Parliament, in the 16th yeare of *Richard* the second, by which it was made *præmunire* to purchase *Bulls* from Rome, and the delinquents in this kinde with all their labettors, fautors, procurators, and maintainers to be referred to the Kings Councell for farther punishment.] There was indeed this severity expressed in the Act of 13th of the Queene, that the putting them in Execution should be Capitall; and yet this severity was no more then what was inflicted upon the Bishop of *Ely* in *Edward* the thirds time, for publishing of a

E

Bull

Bull against the Earle of *Chester* without the Kings leave, and on the Bishop of *Carlisle*, in the time of *Henry* the fourth, for the like offence. Thus farre our Lawes are innocent.

But when this Statute did not take the good effect for which it was intended, neither keeping them in their ancient Communion nor obedience, but for all this, *Mayne*, *Campion*, and many others, came as the Popes Emisseries for execution of the Bull, the State proceeded to a farther severity, making Lawes against Recusancy, against Seditious and Trayterous Bookes, and against the residence of Romish Priests in *England*, making the first fineable with a pecuniary mulct, the two later, Capitall, as being made of a Treasonable nature. Of these in order.

I The mulct which was imposed for Recusancy, was not soul mony, or paid for Religion; and that for these reasons. 1. Because it is plaine Religion did not make them absent themselves from our Churches, unlesse they had changed their Religion since the Bull came over. For if Religion could consist with their Communion with us before the Bull (as it's plain it did) then why not after the Bull, unlesse it be part of their Religion to obey the Pope, rather then to obey God commanding us to obey our Prince? 2. Their Recusancy was an apparent mischief to our Kingdome, and it was the prevention or diversion of this that was the only or speciall end of these Lawes.

The mischief is apparent these two waies. 1. Because

cause by their Recusancy they gave attestation that they held the Bull to be valid; for else why should they after the Bull deny their Communion, which before they did not? Either they must think the Queen for a just cause, and by a just power excommunicate, or why did they separate from her Communion? Now if the Queen by vertue of the Bull was excommunicate, why should they stop here? She was by the same deposed, they absolved from all Allegiance to her, and commanded to take arms against her. I confesse it is no good argument of it selfe, to say, The Pope might excommunicate the Queen, therefore depose her from her Kingdome; But this concludes with them sufficiently, with whom excommunication not only drives from Spiritualls, but deprives of Temporalls, and is not to mend our lives but to take them away; I speak how it is in the case of Princes, (and I shall anon prove it) for they being publike persons from whose Deposition more may be gotten, are like to suffer more, *ut ex tunc ipse (Pontifex) vasallos ab ejus fidelitate denuntiet absolutos, & terram exponat Catholicis occupandam*, as they are taught by Pope Innocent the third, in the eight *Lateran* Councell: such is their Excommunication for matter of Heresy, as was this pretended in the Queenes case, so that in respect of them the danger was apparent.

2 It is plaine that Recusancy and disobedience came actually hand in hand; I say not that one was the issue of the other, but that they were coëtaneous,

for the same persons that moved them to Recusancy by vertue of the Bull, moved them to the execution of it *per omnia*. Now see whither this would tend! They by Recusancy were better able to judge of their forces in *England*, and what party they were able to make for execution of the Bull, whilst by that as by a discriminative cognisance they were pointed at, as Abettors of the Catholike cause.

Thus farre they suffered not for their Religion or conscience, unlesse it were against their conscience to be good subjects, and then it was not Religion, at least not Christian, that was inconsistent with their Loyalty, & so hitherto in respect of us, their machination was altogether causelesse.

2. For the second (of which sometimes they accuse our laws) I mean the writing & publishing of Seditious & Trayterous Books, I shall not need to say any

*Apud Linwood
de senten. ex-
communicat.*

*Item omnes il-
los excommu-
nicationis in-*

*nodamus sen-
tentia qui pa-
cem & tran-
quillitatem*

*Domini Regis
& Regni, in-
iuriose pertur-*

*bare presu-
munt, & qui
iura Domini*

*Regis intusse-
detinere con-
tendunt.*

thing in defence of its being made Capitall, for they were ever so, & of a high nature Treasonable, and the Publishers of them by the Canons of the Church were *ipso facto* excommunicate. This I noted, because the same censure involves more, by vertue of the same Canon: I mean, not only the seditious Libellers but impugnors of the Kings Regalties, as also the Bringers, Publishers, and Executioners of the Bull; as is to be seene in the constitution of Arch-bishop Stephen, in a Councell held at *Oxford*. But secondly, whether they were or were not, it matters nothing; this I suppose was no part of their Religion, therefore this might be made Treason, and yet their Re-

ligion.

ligion and peace of conscience undisturbed. 3. But the next is the main outcry of all, the very *Conclamatum est* of the *Catholique* cause, it suffered; it was made Treason to be a Priest, or at least if any of their Priests should be found in England he should be adjudged a Traytor, and these Lawes were not yet repealed, but then in execution.

When certaine Sycophants told *Philip of Macedon*, that some of his discontented Subjects called him Tyrant, his answer was, *Rudes sunt Macedones; & scapham vocant scapham*. I wish these men who object this, had the same ingenuity, and would acknowledge that the rudenesse of a *Macedonian* tel-troth is no apparent calumny. And truly, as the case then stood, it was no worse. For consider that the statute against Priests was not made till sixteen years after the Bull of *Pius quintus*, and after much evidence both by the confession of some Priests themselves, and divers Lay-persons, that at least, many of them came into England with this errand, that they might instigate the Queenes liege people to the Execution of it. This is very plaine in the case of *Mayne* the Iesuit, and *M. Tregon* who were executed at *Launston* for the same businesse. ^{1577.}

The state could not certainly know what would be the issue, but yet could not but think it likely to produce more and worse consequences for the future. *Leges autē iusta in facta constituuntur quia futura in incerto sunt.* The Queen then providing for her safety banished these Priests out of her domini-

*Tacitus lib. 3.
Annal.*

ons. This was all, and this done with so much lenity and moderation as if of purpose to render good for their evill; such was her innocence, and yet to provide for her safety, such was her prudence. She gave them forty daies time of preparation for their journey, impos'd no penalty for their longer stay in case that any of them were lesse healthfull, or that the winds were crosse, or that the wether serv'd not: provided that during their stay, they gave security for their due obedience to her laws, and that they should attempt nothing against her person or government, for this was all she aim'd at; but if they obeyed not the Proscriptiō, having no just cause to the contrary, such as were expressed in the A^{ct}, then it should be adjudged their errand was not right, & therefore (not their Religion, but) their disobedience Treasonable.

This was the highest ^{and} of the severity of this state against them, now first I shall briefly shew that this proscription which was the highest penalty, was for just cause as the case then stood, and deserved on their part. 2. It was but reasonable, in case they obeyed not the proscription, their stay should be made Treason. 1. Because the Priests did generally preach the Popes power either directly over temporalls, or else in order to spiritnalls, of which the Pope being judge it would come to the same issue, and this was dangerous to the peace of the Kingdome, and intrenched too much upon the Regalcy. In particular, the case of bringing from the See of Rome, and publishing of Bulls, was by the Lords of the

the Parliament in the sixteenth year of *Richard* the second, judg'd to be cleerely in derogation of the Kings Crown and of his Regalcy: as it is well known and hath been of a long time known,] and therefore they protested [together and every one severally by himselfe, that they would be with the same Crown and Regalcy in these cases specially, and in all other cases which shall be attempted against the same Crown and Regalcy in all points with all their power,] I hope then if the State in the time of Queen *Elizabeth* having farre greater reason then ever, shall judge that these Bulles, the publishing of them, the Preaching of their validity, and reconciling by vertue of them her Subjects to the See of *Rome*, be derogatory to her Crown and Regalcy, I see no reason She should be frightened from her just defence with the bugbear of pretended Religion, for if it was not against Religion then, why is it now? I confesse there is a reason for it, to wit, because now the Popes power is an Article of Faith (as I shall shew anon) but then it was not with them, any more then now it is with us: but whether this will convince any man of reason I leave it to himselfe to consider.

But one thing is observeable in that Act of Parliament of *Richard* the second, I meane this clause [as it is well knowne, and hath been of a long time knowne.] The Popes incroachments upon the State of *England* had been an old sore, and by its eld almost habituate; but yet it grieved them neverthelesse, nor was the lesse a fever for being hecticall: but so it is that I am confident upon very good grounds, it may be

be made as apparent as the noon Sunne, for these 600 years and upwards, that the Bishops of *Rome* have exercised so extream and continuall Tyranny and exactions in this Kingdome, that our condition was under him worse then the State of the *Athenians* under their thirty Tyrants, or then our neighbors are now under their *Belgick* Tributes. So many greivances of the people, expilations of the Church, abuses to the State, intrenchments upon the Royalties of the Crown were continued, that it was a great blessing of Almighty God, our Kingdome was delivered from them upon so easy termes, which *Grofthead* Bishop of *Lincolne* thought would never be done, but in *Ore gladii cruentandi*: and now to have all these mischiefs retorne *with more strength* upon us by the attempts of these Priests, had been the highest point of indiscretion and sleepinesse. I said [*with more strength*] because what anciently at the highest was thought but a priviledge of the Church began now to be an Article of Faith, and therefore if admitted would have bound stronger and without all possibility of redresse.

1561. And now if after all this any man should doubt of the justice of these Lawes against the Priests obtruding upon the State the Popes power, I only referre him to the Parliament of *Paris*, where let him hold his Plea against those great Sages of the Law, for their just censures upon *Florentinus Iacobus*, *Thomas Blanzius*, and *Iohn Tanquerell*, who were all condemned to a solemne honorary penance and satisfaction

faction to the State, and not without extreme difficulty escaped death, for the same cause. But this is not all. I adde.

Secondly, the Pope had his Agent in *England* to stirre up the Subjects to rebell against the *Queene*, as I proved before by the testimonies of *Catena* and *Gabutius*. It is not then imaginable that he should so poorely intend his own designes, to imploy one on purpose, and he but a Merchant, and that the Priests who were the men, if any, most likely to doe the businesse, should be un-employed. I speak not of the argument from matter of fact, (for it is apparent that they were imployed, as I shewed but now,) but it is plain also that they must have been imployed, if we had had no other argument but a presumption of the Popes ordinary discretion.

Things then remaining in this condition what security could the *Queen* or *State* have without the absence of those men who must be the instruments of their mischief? Thirdly, there was great reason those men might be banished who might from their own principles plead immunity from all Lawes, and subordination to the Prince. But that so these Priests might, I only bring two witnesses, leading men of their own Side. Thus *Bellarmino*: *The Pope hath exempted all Clerks from subiection to Princes.* Lib. 1. cap. 28. de Clericis. The same is taught by *Emanuel Sà* in his *Aphorismes*, *Verbo Clericus*. I must not dissemble that this Aphorisme however it passed the Presse at first, yet in the Edition of *Paris* it was left out. The cause is known to every man: For that it was meere to serve their

ends is apparent; for their French freedome was there taken from them, they durst not *parler tout* so neere the Parliament; but the Aphorisme is to this day retain'd in the Editions of *Antwerp* and *Colein*.

If this be their Doctrine, as it is plain it is taught by these leading Authors, I mean *Sal* and *Bellarmino*, I know no reason but it may be very just and most convenient to deny those men the Country from whose Lawes they plead exemption.

Secondly, it was but reasonable, in case they obeyed not the proscription, their disobedience should be made Capitall. For if they did not obey, then either they sinned against their conscience in disobeying their lawfull Prince, and so are *autotaxeis*, and inexcusable from the Lawes penalty, which may be extended at the pleasure of the Lawgiver, where there is no positive injustice in the disproportion; or if they did not sinne against their conscience, then of necessity must they think her to be no lawfull Prince or not their lawfull Prince, nor they her Subjects, & so *ipso facto* are guilty of high Treason, & their execution was for *Treason not Religion*, and so the Principall is evicted which I shall beg leave to expresse in *S. Cyprians* language, *Non erat illa fidei Corona, sed pœna perfidia; nec religiosa virtutis exitus gloriosus, sed desperationis interitus.*

*De simplic.
Prelat.*

*Theodoret. l. 4.
c. 14.*

For if *Valentius* banish *Eusebius* from *Samosata*, and *Eusebius* obey not the edict, if *Valentius* puts him to death, it is not for his being a Christian that he suffers death, but for staying at *Samosata* against the command of *Valentius*. Such was the case of the Priests

Priests, whom for just cause (as I have proved) and too apparent prooffe of seditious practices the Queen banished. Now if the Queen was their lawfull Sovereaigne, then were they bound to obey her Decree of exile, though it had been unjust as was the case of *Eusebius*; or if they did not obey, not to think the Lawes unjust for punishing their disobedience. I say again, their Disobedience, not their Religion: for that it was not their Religion that was struck at by the justice of these Lawes, but the security of the Queen and State only aim'd at, (besides what I have already said,) is apparent to the evidence of sence. For when *Hart*, and *Bosgrave*, *Jesuits* both, came into England against the Law, they were apprehended and imprison'd: (for the Lawes without just Execution were of no force for the Queenes safety;) but when these men had acknowledg'd the Queenes legitimate power, and put in their security for their due obedience, they obtain'd their pardon and their liberty. The same proceedings were in the case of *Horton* and *Rishton*, all which I hope were not Apostates from their Order or Religion, but so they must have been or not have escap'd death, in case that their Religion had been made Capitall. Lastly, this Statute extended only to such Priests who were made Priests since *Primo* of *Elizabeth*, & were born in *England*. It was not Treason for a French Priest to be in England, but yet so it must have been if Religion had been the thing they aim'd at. But 'tis so foule a Calumny, I am asham'd to stand longer to refute it. The proceedings of the Church and State

of England were just, honourable and religious, full of mercy and discretion, and unlesse it were that as *C. Fimbria* complain'd of *Q. Scavola*, we did not open our breasts wide enough to receive the danger, there is no cause imaginable, I mean on our parts, to move them to so damned a conspiracy, or indeed to any just complaint.

Secondly, if these were not the causes (as they would faine abuse the world into a perswasion that they were,) what was? I shall tell you, if you will give me leave *ἀνδρῶν τὴν νῆψιν ἀποτίλιναι*, to derive it from its very head, and then I will leave it to you to judge whether or no my Augury failes me.

a Nec ulla eis
injuria fiet si
deponantur.
Lib. 5. de Rom.
Pontif.
cap. 7.
Ex ipsa vi
juris & ante
omnem sen-
tentiam su-
premi Pastoris
ac Iudicis con-
tra ipsum pro-
latam.
Lugduni im-
pres. 1593.
p. 106. n. 157.
Amphib ho-
nor. p. 117.
Sed heus Ar-
nalde à cuius
institutione
hausisti nullā
posse interci-
dere causam
que regem co-
gat abire reg-
no? Non reli-
gionis?

First, I guesse that the Traitors were encouraged and primarily mov'd to this Treason from the preuailing opinion which is most generally receiv'd on that side of the lawfulnessse of deposing Princes that are Hereticall. I say generally receiv'd, and I shall make my words good, or else the blame shall lay on themselves for deceiving me when they declare their own mindes. I instance first in the Fathers of the Society. ^a *Bellarmino* teacheth that Kings have no wrong done them if they be deprived of their Kingdomes when they prove Heretiques. *Creswell* in his *Philopater* goes farther, saying, that if his Heresy be manifest he is deposed without any explicite iudiciall sentence of the Pope, the Law it selfe hath passed the sentence of deposition. And therefore

Bonarsci is very angry at *Arnald* the French Kings Advocate for affirming that Religion could be no just cause to depose a lawfull Prince, If hee had

had beene brought up in their Schooles hee might
 have learnt another lesson; *papa Potest mutare regna* Bellar. de
 & *uni auferre atq; alteri conferre tanquam summus* Pont. R. c. 6.
Princeps spiritualis, si id necessarium sit ad animarum lib. 5.
salutem, saith Bellarmine. Hee gives his reason too,
quia alioqui posset mali Principes impune fovere He-
reticos, which is a thing not to be suffered by his Ho- Cap. 74
 lineesse.

This Doctrine is not the private opinion of these
 Doctors, but *est certa, definita, atq; indubitata viro-*
rum clarissimorum sententia, saith F. Creswell, I sup- Vbi supra
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 ctine of the Iesuits. Doe they then deny it? No sure- Apol. pro
 ly, but *Non est Iesuitarum propria*, it is not theirs a- Garnet. c. 3.
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Iurisconsultorum Ecclesiasticorum Schola & est cer- Num. 157.
tum & de fide, quemcunq; Principem Christianum si
à religione Catholica manifestè deflexerit, & alios a-
vocare voluerit, excidere statim omni potestate ac dig-
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 see how easly they swallow this great camell. Adde
 to this that Bellarmine himselve prooves that the
 Popes temporall power, or of disposing of Princes
 G King

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Secondly, if these were men who would faine abuse the world if they were,) what was? I shall

give me leave *ἀνδρῶν τῶν νόμων* from its very head, and then judge whether or no my *Aug*

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Lib. 5. de Rom. Pontif.

cap. 7.

Ex ipsa vi juris & ante

omnem sententiam su-

premi Pastoris ac Iudicis con-

tra ipsam pro-

latam.

Lugduni im-

pres. 1593.

p. 106. n. 157.

Amphib. ho-

nor. p. 117.

Sed heus Ar-

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Pagina

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Lib. 5. de Rom. Pontif.

cap. 7.

Ex ipsa vi juris & ante omnem sententiam super premi Pastoris ac Iudicis contra ipsum prolatam.

Lugduni impress. 1593.

p. 106. n. 157.

Amphib. honor. p. 117.

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This Doctrine is not the private opinion of these Doctors, but *est certa, definita, atq; indubitata viro- rum clarissimorum sententia*, saith F. Creswell, I suppose hee meanes in his owne Order; and yet I must take heed what I say, for Eudæmon Iohannes is very angry with Sr Edward Cooke for saying it is the Doctrine of the Iesuits. Doe they then deny it? No surely, but *Non est Iesuitarum propria*, it is not theirs alone, *sed ut Garnettus respondit, totius Ecclesiæ, & quidem ab antiquissimis temporibus consensione recepta Doctrina nostra est*, and there hee reckons up seven and twenty famous Authors of the same opinion. Creswell in his *Philopater* sayes as much, if not more: *Hinc etiam infert Vniuersa Theologorum & Jurisconsultorum Ecclesiasticorum Schola & est certum & de fide, quemcunq; Principem Christianum si à religione Catholica manifestè deflexerit, & alios avocare voluerit, excidere statim omni potestate ac dignitate ex ipsa vi iuris tum Humani tum Divini*. You see how easly they swallow this great camell. Adde to this that Bellarmine himselfe prooves that the Popes temporall power, or of disposing of Princes King

Contra Bar-
laim in prin-
cip. fere.

Kingdomes is a Catholique Doctrine, for hee reckons up of this opinion, one and twenty *Italians*, fourteene *French*, nine *Germans*, seven *English* and *Scotch*, nineteen *Spaniards*, & these not *è face plebis*, but *è primoribus*, all very famous and very leading Authors.

87. 413

You see it is good Divinity amongst them, and I have made it good that it is a generall opinion received by all their Side if you will believe themselves and now let us see if it will passe for good Law as well as good Divinity.

arg. log. A
87. 413

Can. Alius.
caus. 15. q. 6.

It is not for nothing that the Church of *France* protests against some of their received Canons; if they did not I know not what would become of their Princes. Their *Lillies* may be to day, and to morrow be cast into the oven, if the Pope either call their Prince *Huguenot*, as he did *Henry* the fourth, or Tyrant as *Henry* the third, or unprofitable for the Church or Kingdome, as he did King *Childeric*, whom Pope *Zechary*, *de facto* did depose for the same cause, and inserted his act into the body of the Law as a precedent for the future, *quod etiam ex auctoritate frequenti agit sancta Ecclesia*, it is impaled in a parenthesis in the body of the Canon, least deposition of Princes should be taken for newes. The law is cleere for matter of fact; the lawfulnessse follows.

Cl. 1. in Sum-
ma. 23. q. 7.

[*Hæreticis licitum est auferri quæ habent,*] and this not only from a private man, but even from Princes, [*nam qui in maiore dignitate, est plus punitur*] or take

take it if you please in more proper termes. [*Domini- Gl. cap. Ex-
nus Papa Principem secularem deponere potest propter- cōmunicamus
heresim,*] & so another may be chosen like the Pa- rit. de hereti-
latines and Castellans in Poland, just as if the King cis. l. 5.
were dead, *Nam per heresim plusquam civiliter mor-
tuis censetur,* saith *Simancha*, and that by vertue of a Cap. 45. de
constitution of *Gregory* the ninth, by which e- penis.
very man is freed from all duty, homage, allegiance
or subordination whatsoever due to a Heretick, whe-
ther due by a naturall, civill, or politicall right; [*ali-
quo pacto, aut quacūq; firmitate vallatum.*] Et sic
nota (saith the glosse) *quod Papa potest absolvere Lai-
cum de iuramento fidelitatis.*

I end those things with the attestation of *Bellar- Contra Baro-
mine, Est res certa & explorata posse Pontificem maxi- laiumc. ap. 3.
mum iustis de causis temporalibus indicare, atq; ipsos
Temporales Principes aliquando deponere.* And again
that we may be sure to know of what nature this do-
ctrine is, he repeats it; *Sic igitur de potestate in Tem-
poralibus quod ea sit in Papa non opinio, sed Certitudo
apud Catholicos est.* And now let any man say if this
be not a Catholike Doctrine, and a likely antecedent
to have Treason to be its consequent.

But I fixe not here, onely this, it is plain that this
proposition is no friend to Loyalty; but that which
followes is absolutely inconsistent with it, in case
our Prince be of a different perswasion in matters of
Religion. For,

2 It is not only lawfull to depose Princes that
are hereticall, but it is necessary, and the Catholiks

are bound to doe it *sub mortali*. I know not whether it be so generally, I am sure it is as confidently taught as the former, and by as great Doctors.

Lib. 5. de Rom.
Pont c. 7.

Ecclesia nimis graviter erraret si admitteret aliquem Regem, qui vellet impunè fovere quamlibet Sectam, & defendere hæreticos. So Bellarmine. And again, Non licet Christianis tolerare Regem hæreticum, si conetur pertrahere subditos ad suam hæresim. But F.

Ibid.

Philopat p.
110. n. 162.

Creswell puts the businesse home to purpose, Certè non tantum licet, sed summâ etiam iuris Divini necessitate, ac præcepto, imò conscientia vinculo arctissimo, & extremo animarum suarum periculo ac discrimine Christianis omnibus hoc ipsum incumbit, si præstare rem possint. Under perill of their soules they must not suffer an hereticall Prince to reigne over them.

Pag. 106. n.
157.

Possunt & debent eam arcere ex hominum Christianorum dominatu, ne alios inficiat &c.

3 He that saith Subjects may and are bound to depose their Princes, and to drive them from all rule over Christians, if they be able, meanes something more: For what if the Prince resist? still he is bound to depose him if he be able. How if the Prince make a warre? The Catholike subject must doe his duty neverthelesse, and warre too, if he be able. He that saies he may wage a warre with his Prince, I doubt not but thinks he may kill him; and if the fortune of the warre lights so upon him, the subject cannot be blamed, for doing of his duty.

It is plain that killing a Prince is a certain consequent of deposing him, unlesse the Prince be bound

in

in conscience to think himselfe a Heretick, when the Pope declares him so, and be likewise bound not to resist, and besides all this will performe these his obligations, and as certainly think himselfe hereticall, and as really give over his Kingdome quietly, as he is bound. For in case any of these should faile, there can be but very slender assurance of his life. I would be loth to obtrude upon men the odious consequences of their opinions, or to make any thing worse which is capable of a fairer construction; but I crave pardon in this particular, the life of Princes is sacred, and is not to be violated so much as in thought, or by the most remote consequence of a publike doctrine: But here indeed it is so immediate and naturall a consequent of the former that it must not be dissembled. But what shall we think if even this blasphemy be taught *in terminis*? See this too.

In the yeare 1407. when the Duke of *Orleans* had been slaine by *Iohn of Burgundy*, and the fact notorious beyond a possibility of concealement, he thought it his best way to imploy his Chaplaine to justify the act, pretending that *Orleans* was a Tyrant. This stood him in small stead; for by the procurement of *Gerson*, it was decreed in the Councell of *Constance*, that Tyranny was no sufficient cause for a man to kill a Prince. But yet I finde that even this decree will not stand Princes in much stead. First, because the decree runnes [*ut nemo privata Authoritate &c.*] but if the Pope commands it, then it is *iudicium publicum*, and so they are never the

more secure for all this. Secondly, because *Marlana* tells us, that this Decree is nothing. *Namq; id decretum (Concilij Constantiensis) Romano Pontifici Martino quinto probatum non invenio, non Eugenio aut Successoribus, quorum consensu Conciliorum Ecclesiasticorum sanctitas stat.* Thirdly, because though the Councell had forbidden killing of Tyrannical Princes even by publique authority, though this Decree had beene confirmed by the Pope, which yet it was not, yet Princes are never the more secure if they be convict of Heresy, and therefore let them but adde Heresy to their Tyranny, and this Councell *Non obstante* they may be killed by any man; for so it is determin'd in an Apology made for *Chastel*, *Licetum esse privatis & singulis Reges & Principes Haresios & Tyrannidis condemnatos occidere, non obstante Decreto Concilij Constantiensis;* And the Author of the Book *de iustâ abdicatione Henrici.* 3. affirms it not only lawfull but meritorious.

De Reg & R. in sit. lib. 1. c. 6.

Franc. Verum. Const. p. 2. c. 2.

De Pont. R. lib. 5. c. 6.

How much lesse then this is that of *Bellarmine?* *Si Temporalia obsint fini Spirituali, Spirituality potestas potest & debet coercere Temporalem, omni ratione ac viâ.* If omni ratione, then this of killing him in case of necessity or greater convenience, must not be excluded. But to confesse the businesse openly and freely; It is knowne that either the Consent of the people, or the Sentence of the Pope, or Consent of learned men is with them held to be a *publicum Iudicium*, and sufficient to sentence a Prince and convict him of Heresy or Tyranny. That opinion which makes

makes the people Iudge is very rare amongst them
 but almost generally exploded, that opinion which
 makes the learned to be their Iudge is I thinke pro-
 per to *Mariana* or to a few more with him, but that
 the sentence of the Pope is a sufficient conviction of
 him, and a compleate Iudiciall act, is the most Ca-
 tholique opinion on that Side, as I shall shew anon.

Vide P. D. M.
 Image of both
 Churches.

Now whether the Pope, or learned men, or the peo-
 ple be to passe this sentence upon the Prince, it is
 plaine that it is an Vniversall Doctrine amongst
 them that after this sentence (whosoever it be) it is
 then without Question lawfull to kill him, and the
 most that ever they say is, that it is indeed not law-
 full to kill a King, not lawfull for a private man, of
 his owne head, without the publike sentence of his
 Iudge, but when this Iudge (whom they affirme to
 be the Pope) hath passed his sentence, then they
 doubt not of its being lawfull. That I say true I ap-
 peale to ^a *Gregory de Valentia*, ^b *Tolet*, ^c *Bellarmino*,
^d *Suarez*, ^e *Salmeron*, ^f *Serarius*, ^g *Molina*, ^h *Em-
 anuel Sa*, ⁱ *Azorius*, ^k *Martinus Delrim*, ^l *Lessius*,
^m *Gretser*, ⁿ *Becanus*, ^o *Sebastian Heissius*, ^p *Richeome*,
^q *Eudamon Iohannes*, ^r *Salianus*, ^s *Fillucius*, ^t *A-
 dam Tanner*, and their great ^u *Thomas Aquinas*.

^a *Tom. 3. disp.*
<sup>5. q. 8. punct.
^{b. In sum. 4. 5}
^{c. 6.}</sup>

^A *polog. ad*
^c *R. Angl. c. 13*
^d *Defens fidei*
^{lib. 6 c. 4.}

^e *in 13 cap.*
<sup>ad Rom. disp.
^{5.}</sup>

^f *Quest p. in*
^{c. 3. 12d.}

^g *De iust. &*
^{iure. to m. 4.}

^h *Aphorif.*
^{verb. Tyrann.}

ⁱ *us. 1. In sit.*
^{Moral 2 p. lib.}

^{11. c. 5 q 10.}
^k *In Herculi.*

^{Furent.}
^l *de iustit. &*
^{iure. c. 9 dub 4}

All these and many more that I have seene teach
 the lawfulnessse of killing Kings after publike sen-
 tence, ^m *Chauuefauris polit. n. in resp. ad Aphorif. Calvinistarū. o* *Contr. Calvinist. Aphc-*
^{rism. c. 3. ad Aphor. 1. p} *In exposul. ad Henrici. Reg. pro Societate. q. in Apolog. pro*
^{Henrico Garnetto. r} *Ad annum Mundi. 2669. n. 7. 8. Tract. 29 p. 2. de quinto prace-*
<sup>pro Decal. n. 12. t. tom. 3. disp. 4. q. 8. dub. 3 n. 32. u. opusc. 20. & lib. 1. de regim.
^{Pracip. c. 6.}</sup>

tence,

tence, and then to beautify the matter professe that they deny the lawfulness of *Regicidium*, by a private authority. For if the Pope sentence him then he is no longer a King, and so the killing of him is not *Regicidium*, and if any man doth kill him after such sentence, then he kills him not *privatâ Autoritate*, or *sine iudicio publico*, which is all they affirm to be unlawfull.

And thus they hope to stop the clamour of the world against them, yet to have their opinions stand intire, the way to their owne ends fair, but the Prince no jot the more secure of his life. I doe them no wrong, I appeale to the Authors themselves, there I will be tryed. For that either the People, or that a Company of learned men, or to be sure the Pope may license a man to kill the King, they speake it with one voyce, and tongue. And now after all this we may better guesse what manner of counsell or threatning (for I know not which to call it) that was which *Bellarmino* gave sometimes to K. James of B.M. *Si securus regnare velit Rex, si vita sua & suorum consulere cupiat, sinat Catholicos frui religione suâ!* If this be good counsell, then in case the Catholiques were hindred from the free profession of their Religion, at the best it was full of danger if not certaine ruine. But I will no more rake this *Augaen* Stable, in my first Part I shewed it was too Catholique a Doctrine, and too much practis'd by the great *Cisalpine* Prelate. I adde no more, least truth it selfe should blush, fearing to become incredible.

Now

In lib. sub no-
mine Torti.e.
dis. Colon. A-
grip. 1610.
pag 21.

Now if we put all these things together, and then we should prove to be Heretiques in their account, we are in a faire case both Prince and people, if wee can but guesse rightly at this wee shall need I thinke to looke no further why fire was called for to consume both our King and Country, nor why we may feare it another time.

The Author of the *Epistle of comfort to the Catholiques in prison* printed by authority in the year of the Powder Treason, is very earnest to perswade his Catholiques not to come to our Churches or communicate with us in any part of our divine service, affrighting them with the strange *terriculamenta* of halfe Christians, Hypocrites, Denyers of Christ, in case they joyn'd with us in our Liturgy. Strange affrightments these yet not much more then what is true if they esteeme us Heretiques. For if they thinke us so, we are so to them, and they communicating with us doe as much sinne, as if wee were so indeed.

But if wee be not Heretiques what need all this stirr *permissu Superiorum*. the Counsell of Recusancy was unreasonable, dangerous, schismaticall, and as the case then stood, very imprudent. In charity to their discretion wee cannot but thinke them uncharitable in their opinion of us.

But there is no need we should dispute ourselves into a conjecture, themselves speake out and plaine enough. Heare *Ballarmine* under the visor of *Tortus*, affirming that the Kings Edict commanded the Ca-

H

tholiques

ΕΙΠΕ ΚΛΕ-
χός η Λαϊκ
εισάδη εις
πλὴ συναγω-
γῶν Ἰουδαίων,
η ἀπειρηκῶν

συνάξα-
ται, κα-
ταρτίσθαι, καὶ
ἀποεργάζεσθαι
36 Can. Apost
33. Laodic.

ὅτι ἡ δὲ αἵρε-

τικὴ συναθρο-
νέται.

Apol ad R.
Angl.

Cap. 11. pag.
249 Doway.
1616.

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By this time wee see too plainly that the state of Protestant Princes is full of danger where these men have to doe. They may be deposed and expelled from the Government of their Kingdomes, they must be deposed by the Catholiques under perill of their soules, it may be done any way that is most convenient, they may be rebelled against, fought with, slaine. For all this, it were some ease, if here we might fixe a *Non ultra*. For perhaps these Princes might put in a Plea for themselves, and goe neerer to prove themselves to be no Heretiques. All's one, for though they doe, yet unlesse they can perswade his Holinesse not to judge them so, or declare them Heretiques, all is to no purpose, for to him they must stand or fall. *Nam iudicare an Rex pertrahat ad haeresim necne pertinet ad Pontificem*. So *Bellarmino* They need not stay till his Heresy be of it selfe manifest, he is then to be us'd like a Heretique when by the Pope of Rome he shall be judg'd Hereticall.

But what matter is it if the Pope be judge, for if they may be deposed, as good he as any else. What greivance then, can this be to the state of Princes more then the former? Yes, very much. 1. Because

cause the Pope by his order to spiritualls may take away Kingdomes upon more pretences then actuall heresy. It is a large title, and may doe any thing. *Bel- Vbi supra.*
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 all the Christians in the World, when it is requisite to the end of the Spirituall power. The words are plain that he may doe it for his own ends (for his is the Spirituall power) that is, for the advancement of the See Apostolike, and thus (to be sure) he did actually with *Frederick Barbarossa*, *Iohn of Navarre*, the Earle of *Tholouse*, and our own King *Iohn*. 2. The Pope pretends to a power that to avoid the probable danger of the increase of heresy he may take away a Territory from the right owner, as is reported by the Cardinall *D'Ostat*, and this is soon pretended, for who is there that cannot make probabilities, especially when a Kingdom is at stake? 3. We finde examples that the Pope hath excommunicate Princes, and declar'd them hereticks when all the heresy hath been a not laying their crownes at the feet of *S. Peter*. The case of *Lewis* the fourth is every where known, whom *Iohn* the twenty third Excommunicated. *Platina* tels the reason. He called himselfe *In Clement.*
 Emperour without the Popes leave, and aided the quinto.
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*Vbi supra.**De regim. Princip.**In Clement. quinto.*

Baron. tom. 6.
Annal. An.
Dom 447. n. 8

domes, dependant only on God, not on the *See Apostolike*. If this be no heresy, nor like heresy to say it, I would faine learn the meaning of *Baronius* concerning the book of *Iohannes de Roa*, who sometimes had been a *Iesuit*, but then chang'd his order, and became *Augustinian*, saying, *it was sentenc'd to the fire before it had escaped the presse*. And good reason, *Nil enim tale à Patribus societatis didicit*. Good men, they never taught him any such doctrine as is contained in that pestilent book, *de iuribus principalibus defendendis & moderandis iustè*. Now if this be heresy or like it, to preach such a Doctrine, then likely it will be judg'd heresy in Princes to doe so, that is, to hold their crownes without acknowledgment of subordination to *S. Peters* chaire. And if it be not herely to doe so, it is in their account as bad, for so the *Iesuits* in their *Veritas defensa* against the A^ction of *Arnald* the Advocate affirme *in terminis*, that the actions of some Kings of *France* against the Pope in defence of their Regalties, were but *examples of rebellion, and spots to disgrace the purity of the French Lillies*. 5. Put case the Pope should chance to mistake in his sentence against a Prince, for the cause of heresy, yet for all this mistake, he can secure any man to take away the Princes life or Kingdome. His Lawyers will be his security for this point. For although in this case, the deposition of the Prince should be, and be acknowledged to be against Gods law, the Prince being neither Tyrant nor heretick, yet his Holinesse commanding it, takes

takes away the unlawfulness of it, by his dispensation. So *D. Marta*, and for this doctrine he quotes *Hostiensis*, *Felinus*, *Gratus*, the *Abbat*, the *Arch bishop of Florence*, *Ancharanus*, *Iohannes Andreas*, *Laurentius de Pinu*, and some others. Indeed his Divines deny this, *sed contrarium tamen observatur*, as it's very well observed by the same Doctor, for he brings the practise & example of Pope *Martin* the fifth, *Iulius* the second, *Celestine* the third, *Alexander* the third, and *Sixtus quintus*, all which dispensed in cases acknowledged to be expressly against Gods law. 6. Lastly. How if the Pope should lay a claime to all the Kingdomes of the world, as belonging to *S. Peters* patrimony by right of spiritual preheminence? I know no great security we have to the contrary. For first, It is known he hath claimed the Kingdome of *England*, as feudatary to the *See Apostolike*. Which when I considered I wondred not at that new and insolent title which *Mosconius* gives his Holiness of *Defensor fidei*. He might have added the title of *Rex Catholicus*, & *Christianissimus*. For *D. Marta* in his treatise of *Iurisdiction*, which he dedicated to *Paulus quintus*, hath that for an argument why he dedicated his Book to him, because forsooth the Pope is the only Monarch of the World. But of greater authority is that of *Thomas Aquinas* affirming, the Pope to be the verticall top of all power Ec-

De Iurisd. cas.

64.2.14.

Num. 17.

a Rex Anglorum

est subditus

Romano Pon-

tifici ratione

directi domini

quod in Reg-

num Anglie

et Hibernie

Romana habet

Ecclesia.

Bellarm. Apol.

adv. R. Angl.

c. 3.

b De Maieſt.

milit. Ecclef.

c. 1. pag. 25.

c *Tibi a quo emanat omnis iurisdictionis, unicus in orbe Pontifex, Imperator & Rex, omnium Principum superior, rerumque & personarum supremus & Dominus. Epist. Dedicat. d. 2. Sent. dist. 44. & lib. 3. de Regim. Princ.*

H 3

Eccle-

Lib. erat. in
Breviar. de
causâ Nesto-
rian cap. 21.

clefasticall and Civill. so that now it may be true which the Bishop of *Patara* told the Emperor, in behalfe of Pope *Sylverius*. *Multos esse Reges, sed nullum talem, qualis ille, qui est Papa super Ecclesiam Mundi totius.*

For these reasons I think it is true enough that the constituting the Pope the judge of Princes in the matter of deposition, is of more danger then the thing it selfe. The summe is this. However schisme or heresy may be pretended, yet it is but during the Popes pleasure that Kings or subjects shall remain firme in their mutuall necessitude. For if our Prince bee but excommunicate or declar'd heretick, then to be a good subject will be accounted no better then irreligion and *Anti-Catholicisme*. If the conclusion be too hard and intolerable then so are the Premises, and yet they passe for good Catholike doctrine among themselves.

But if truly and *ex animo* they are otherwise affected, they should doe well to unsay what hath been said, and declare themselves by publique authority against such doctrines. And say whether or no their determinations shall be *de fide*? If they be, then all those famous Catholique Doctors, *Thomas Aquinas*, *Bellarmino*, *Creswell*, *Mariana*, *Emanuel Sá*, &c. are heretiques, and their Canons teach heresy, and Many of their Popes to be condemn'd as hereticall, for practising and teaching deposition of Princes by an authority usurp't against, and in prejudice of the Christian faith. But if their answers be not *de fide*, then

then they had as good say nothing, for the danger is not at all decreased, because if there be Doctors on both sides by their own * assertion they may * Charity without sinne follow either, but yet more safely if maintained by Cath. cap. 7. they follow the most received and the most authorized, and whether this rule will lead them, I will be judg'd by any man that hath considered the premises. Briefly either this thing must remain in the same state it is, and our Princes still expos'd to so extream hazards, or else let his Holinesse seat himselfe in his chaire, condemne these doctrines, vow against their future practise, limit his *ordo ad spiritualia*, containe himselfe within the limits of causes directly and meerely Ecclesiasticall, disclaime all power, so much as indirect over Princes temporalls, and all this with an intent to oblige all Christendome. Which when I see done, I shall be most ready to believe that nothing in Popery, doth either directly or by a necessary consequence destroy Loyalty to our lawfull Prince, but not till then, having so much evidence to the contrary.

Thus much was occasion'd by consideration of the cause of the Disciples *Quere* which was when they saw this, that their L. and M. for his difference in Religion was turned forth of doores, which when they saw,

They said Lord] It was well they ask'd at all, and would not too hastily act what they too suddely had intended, but it was better that they ask'd Christ, it had been the best warrant they could have had, could they

they have obtain'd but a *Magister dixit*. But this was not likely, it was too strange a Question to aske of such a *Mr. A Magistro mansuetudinis licentiam crudelitatis?* Nothing could have come more crosse to his disposition. His spirit never was addicted to blood, unlesse it were to shed his owne. Hee was a Prince of peace and set forth to us by all the Symboles of peace and gentlenesse, as of a *sheepe, a lambe, a hen, a gentle twining vine, the healing Olive.* and is it likely that such a one should give his place to the utter ruine of a company of poore Villagers for denying him a nights lodging moved thereto by the foregoing scandall of a Schisme? Hee knew better what it cost to redeem a man, and to save his life from destruction then to bee so hasty for his ruine. And if the Fathers *Confessors* who were to answer the Question of the day had but reflected upon this Gospell, they might have informed their penitents better then to have engaged them upon such Antichristian, and Treasonable practises, as to destroy an assembly of Christians, as to depose or kill a King.

It is the proper cognisance of Mahumetanisme, by fire and sword to maintain their cause, and to propagate their Religion, by ruine of Princes and conquering their Kingdomes. But it is the excellency of Christianity, that by humility and obedience it made Princes tributary to our Deare Master, and homagers to his Kingdome. When *Valentinian* sent *Calligonus* his Chamberlaine to *S. Ambrose* to threa-

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R. l. 5. c. 7.
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107. n. 158.
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R. l. 5. c. 7.

Philopater p.
107. n. 158.

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therefore it was not lawfull for them to goe about it, nor is it for us in the same case, especially if the Prince hath quiet possession, and a strong guard about him, then by no meanes is it lawfull for a single man by his owne authority to assault his Prince that rules Tyrannically. So Salmeron. But who sees not that this way murder may be lawfull. For true it is God commanded us, saying, *Thou shalt not kill*, that is, if thou art not able to lift up thy hand, or strike a stroke; thou shalt not blaspheme, that is, if thou beest speechlesse, thou must be obedient to thy Prince, that is, if thou canst not tell how to helpe it. Good Doctrine this! And indeed it might possibly be something if God had commanded our subordination to Princes only *for wrath*, for then *si vires adfint*, if wee can defend our selves we are secure, wee need not feare his wrath, but when he addes, *also for conscience sake*, I cannot sufficiently wonder that any man should obtrude so senselesse, so illiterate, and so impious an interpretation upon the Christian world, under the Title of Catholique Doctrine.

Christ when he was betrayed and seized upon by his Murderers could have commanded twelve Legions of Angels for his Guard, *Non defuerunt vires*; and in all humane likelyhood such a *Satellitium* as that would have mov'd them to a beliefe in him, or else I am sure, might have destroyed the unbelievers. Shall I say more against this rude *glossema*? Then thus. It is false that the Primitive Christians had not power to defend themselves against their Persecutors,

tors. Heare S. Cyprian; *Nemo nostrum quando apprehenditur reluctatur, nec se adversus iniustitiam, & violentiam vestram quamvis nimis & copiosus noster sit Populus, ulciscitur.* They could have resisted and that to blood, but they had not so learned Christ. Prayers and teares were the armes of Christians, and then they had a defence beyond all this, when they were hard put to it, *Mori potuerunt*, a submission of their bodies to Martyrdome was their last refuge.

Thus S. Agnes, Lucia, Agatha, Christina, Domitilla fav'd both their faith and chastity, *non armis, sed ignibus & carnificis manu*, the tormentors last cruelty defended them from all succeeding danger.

I will not yet conclude, that, that which these men obtrude for Catholique Doctrine is flat and direct heresy, I will instance but once more and then I shall. In the fourth Councell of *Toledo* which was assembled when the usurping and Tyrannizing Goths did domineere in Europe, the most whereof were Tyrants, Vsurpers, or Arrians; the Councell decreed that if any man did violate the life or person of his King, *aut potestate Regni exuerit*, kill him or depose him, *Anathema sit &c.* He should be accursed in the sight of God and his Holy Angels, and together withall the companions of his iniquity, hee should be separated from the Catholique Church. And now I hope I may say that these men who either practise or advise such practises as killing or deposing Kings, are as formally condemn'd for heresy, and anathematiz'd, as ever was *Manichee* or *Catharygian*.

phrygian. I know not, but perhaps this might be thought of when the Iesuits were inscrib'd heretiks upon the publike pillar before the *Louvre* in *Paris*, upon their banishment: however, let them answer it as they may, it concernes them as much as their being Catholiques comes to, *Et considerent, quia quæ prædicant tantoperè verba, aut ipsorum summorum Pontificum sunt suas fimbrias extendentium, aut illo-*
rum qui eis adulantur, as said *Aeneas Sylvius*, but at
De gestis con- no hand can it be Christian Doctrine.
cil. Basil. lib. 1.

I instanc'd in these things to shew the *Antithesis* between the Spirit of our B. Saviour who answer'd the Question of the text, and the Fathers *Confessors* of whom was ask'd the Question of the day.

But give mee leave to consider them not only as mis-informing their penitents, but as concealing their intended purpose, for even this way, the persons to whom the Question was propounded made themselves guilty of the intended machination. For by all Law Ecclesiasticall and Civill hee that conceales an intended Murder or Treason makes himselfe as much a party for concealing, as is the Principall for contriving.

*a Cap. quante
de senten. ex-
com. & c. de-
licto ibid. in
& 13. q. 3. q. 3.
b l. 1. occiso-
rum ad G. c.
Syllinian. &
l. 1. §. 1. ad l.
Cornel. de fal-
sis l. quisquis
ad l. Int.
Maieſt.*

Ob. But these Fathers *Confessors* could not be accused by vertue of these generall Lawes, as being exempt by vertue of speciall case, for they received notice of these things only in confession, the seale of which is so sacred and inviolable, that he is sacrilegious who in any case doth breake it open, though it be to avoid the greatest evill that can happen, so *Bel-*
larmine,

larmine; to save the lives of all the Kings in Christendome, so *Binet*; though to save a whole common wealth from dammage temporall or spirituall, of body or soule, so *Suarez*.

Apol. adv. R. Angl. Casaub. ad Front. Duc. In 3. part. D. Thom. disp. 33. Sect. 1. n. 2.

A considerable matter ! On the one side wee are threatned by sacriledge, on the other by danger of Princes and common-wealths, for the case may happen, that either the Prince and whole State may be suffered to perish bodily and ghostly, or else the Priest must certainly damne himselfe by the sacrilegious breach of the holy Scale of confession. Give me leave briefly to consider it, and, both for the acquittance of our state in its proceedings against these Traytors, and for the regulating of the case it selfe, to say these two things.

1 This present Treason was not revealed to these Fathers Confessors in formall confession. 2. If it had, it did not bind to secrecy in the present case. Of the first, only a word.

1 It was only propounded to them in way of Question or consultation (like this in the text) as appeared by their owne confessions, and the attestation of then *S^r Henry Mountague* Recorder of London to *Garnet* himselfe. It could not therefore be a formall confession, & therefore not bind to the scale. It is the common opinion of their owne Doctors: *Non enim inducitur obligatio sigilli in confessione quam quis facit sine ullo animo accipiendi absolutionem, sed solum consilij petendi causa.*

Vide Casaub. ep. ad Front. D. p. 133. D. Soto. in 4. l. Sent. d. 18. q. 4 art. 5. concl. 5. Navar. c. 8. n. 18. Suarez. disp. 33 Sect 2. Coninck de sig. conf. dub. sors 1. n. 7.

2 It was propounded to these Fathers Confes-

sors as a thing not subijcible to their penitentiall judicature, because it was a fact not repented of, but then in agitation, and resolved upon for the future. How then could this be a confession, whose institution must certainly be in order to absolution, and how could this be in any such order, when it was a businesse of which they could not expect to be absolved unlesse they hop'd to sinne with a pardon about their necks; and on condition God would be mercifull to them in its remission, would come and profess that they were resolved to anger him? In reason this could be no act of repentance, neither could it, by confession of their own side. It is the doctrine of *Hostiensis*: and ^b *Navarre*, and ^c *Cardinall Alban* confesse it to be most commonly received.

^b *Cap Sacerdos. 3. q. n. 116.*

^c *In lucubr. ad Bartolum. in L. ut vim. n. 22 ff. de iustitia & iure*

See proceed.
against late
Traitors.

3 It was not only not repented of, but by them reputed to be a good action, and so could not be a matter of confession. I appeal to any of their own *Manuals* and penitentiary bookes. It is culpable say they. I am sure it is ridiculous in any man to confesse and thrive himsele of a good action, and that this was such in their opinion, it's plaine, by that impious answer of *Garnet*, affirming it a businesse greatly meritorious, if any good might thence accrue to the Catholique cause.

4 By this their pretended confession they endeavoured to acquire new complices, as is evident in the proceedings against the Traitors. They were therefore bound to reveale it, for it neither was nor could

could be a proper and formall confession. That this is the common opinion of their own Schooles, see it affirmed by *Aegidius Coninek.*

Vbi suprad.

The first particular then is plain. Here neither was the forme of confession, nor yet could this thing be a matter of confession, therefore supposing the seale of confession to be sacredly inviolable in all cases, yet they were highly blameable for their concealment in the present.

2 But the truth of the second particular is more to be inquired of. That is, that though these things had been only revealed in confession, and this confession had been formall and direct, yet they were bound in the present case to reveale it, because the seale of confession is not so inviolable, as that in no case it is to be broken up, and if in any, especially it may be opened in the case of treason.

I never knew any thing cryed up with so generall avoyce upon so little ground, as is the *Over-hallow'd* seale of confession.

True it is that an ordinary secret committed to a friend in civill commerce is not to be revealed upon every cause, nor upon many, (but upon some it may as they all confesse.) If thus, then much rather is this to be observed in the revelation of the secrets of our consciences, not only from the ordinary tye to secrecy, but likewise least finnes should grow more frequent, if so great a remedy of them be made so odious, as to expose us to a publike infamy or danger of the law. The Councell therefore that first intro-
duc'd

duc'd this obligation was very prudent and reasonable, pleads a thousand yeares prescription, and relies upon good conveniences. This is all that ever could be prov'd of it (as may appeare anon) but these are too weak a base, to build so great a structure on it, as to make it sacriledge, or any sinne at all, to reveale confessions in some cases.

1 For first, if because it is deliver'd as a secret, and such a secret, it is the more closely and religiously to be kept; it is true, but concludes no more, but that it must be a greater cause that must authorize a publication of this, then of the secrets of ordinary commerce between friend and friend.

2 If the lincensing of publicatiō of confession be a way to make confession odious, and therefore that it may not be publish'd, I say if this concludes, then on the contrary it concludes farre more strongly, that therefore in some cases it may be published, because nothing can make a thing more odious and intolerable, then if it be made a cover for grand impieties, so as to engage a true subject, quietly & Knowingly to see his Prince murdered.

3 If it be discouragement to the practise of confession that some sinnes revealed in it must be published though with perill to the delinquents fame & life, then it will be a farre greater discouragement to the sinne, when that it shall by an universall judgement be so detested, that its concealement may not be permitted, though it be with the hazard of discouraging the Holy duty of confession: and when the

the being guilty of such a sinne, shall reduce men into such streights, that either they shall want the benefit of absolution, or submit themselves to a publike satisfaction, and so even in this particular the benefit is farre greater then the imaginary inconvenience.

The conveniences of the Seale force no more then that it is convenient to be observed, not simply and absolutely in all cases necessary. And perhaps *Suarez* the great patron of it perceived it, however he laies the burden, *super communi consensu Ecclesie, eiusq; perpetua traditione*. If then I can shew, that there is no such *Catholike* consent of the present Church, nor any universall tradition of the *ancient* Church for the inviolable Seale, but plainly the contrary, then our Church in her permission of the Priests to reveale some confessions is as inculpable as those of the present Church, who (besides her selfe) teach and practise it, and as the Primitive Church whose example in this (as in other things) she strictly followes.

Of the first. The Church of *England*, which observes the seale of confession as sacredly as reason or religion it selfe can possibly permit, yet forbids not disclosure in case of Murder or Treason, but in these particulars leaves us intire in our obedience to the common lawes of *England*, and these command it.

That the Church of England gives leave in some cases to reveale confessions, is argument enough to prove that the Seale is not founded upon the consent

*In 3. part. D
Thom. disp.
33. sect. 1. n. 2*

*Can. 113. A.
D. 1604.*

sent of the present *Catholike Church*. For it is no more a begging of the Question (nor apparently so much) to say, the Church of *England* is a part of the *Catholike Church*, and therefore her consent is required to make a thing universall, then to say, the Church of *Rome* is the whole *Catholike Church*, therefore her consent is sufficient to make a thing *Catholike*. But I shall not need to proceed this way. For,

I It is apparent that of their own side *Altiſidiorensis* largely and professedly proves the lawfulness of publication in some cases as is to be seen. *Lib. 4. Summa tract. 6. cap. 3. q. 7.* and Garnet himselfe, the man who if any had most need to stand in defence of the *Seale* that the pretence of it might have defended him, yet confessed of his own accord, *Leges quæ celare hac prohibent apprimè esse justas & salutare*. He addes his reason, and that is more then his authority, for (saith he) it is not fitting that the life and safety of a Prince should depend upon the private niceties of any mans conscience. If two, nay if one dissent, it is enough to destroy a consent. But see farther.

*Actio in pro
dit. lat. p. 99.*

There are many cases, generally confessed amongst themselves, in which the seale of formall and (as they love to speak) *Sacramentall* confession may be broken open. I instance but in two or three.

First, confession may be reveal'd to clear a doubt. *Practis. crim. Ecclesiast. cap. 109.* full case of marriage. It is the opinion of many great *Canonists*, as you may see them quoted by *Snarez de Paz.*

Paz. and *Couarnvias*, and the case of the *Venetian* Resol. de Ma-
trimon. who married a Virgin that was both his sister and daughter: and that at *Rome* under Pope *Paul* the third almost to like purpose, were long disputed on both sides, whether they were to be revealed or not, so that at most, it is but a doubtfull matter in such cases, whether the tye of secrecy doth oblige. Now if for the prooffe of marriage the seale may be broken up, that man and wife might live contentedly and as they ought, strange it should be unlawfull to reveale confessions in case of Treason, for the safety of a Prince or State!

2 In case of heresy the seale binds not, by their own generall confession. It is a rule amongst them,
Heresis est crimen quod non confessio celat.

Now I would fain learn why Treason is not as revealeable as Heresy? Is heresy dangerous to soules? Then surely, so is Treason, unlesse it be none, or a very small crime. May heresy infect others? So may Treason, as it did in the present. It may then as well be revealed as heresy. Now that it may something rather, I have these reasons. 1. Because it is not so certain that such an opinion is heresy as that such a fact is Treason. 2. Because although both Treason and reall heresy be damnable and dangerous to soules, yet heresy killes no Kings as treason doth. I confesse that heresy may, and doth teach it, but then it degenerates into Treason. Now if some heresy may be Treason, then that Treason is heresy, & so a case of Treason may occurre, in which from

their own confession, treason is revealeable.

3 By the most generall voice of their own side any man may licence his confessor to reveale his confession. It is the doctrine of *Scotus*, *Durandus*, *Almain*, *Navarre*, *Medina*, and generally of all the *Thomists*. I inferre, if a private man may licence his *Confessor* to reveale his confession, then the seale of confession is not founded upon any divine commandement, for if it were, the penitent could not give the Priest license to break it. But if the penitent may give his *Confessor* leave, because the tye of secrecy is a bond in which the Priest stands bound to the penitent, & he giving him leave, remits of his own right, then much rather may a whole State authorise this publication, for what ever personall right a private man hath, that the whole State hath much rather, for he is included in it as a part of the whole, and in such cases as concerne the whole commonwealth (as this of treason doth most especially) the rule of the Law holds without exception, *Refertur ad universas quod publicè fit per maiorem partem*, the delinquent gives leave to the publication of confession, therefore because the whole state doth, whereof he is one member. I adde, that in the case of Treason this is much rather true, for here the delinquent looseth all his right whatsoever, prædiall, personall, and of priviledge, & therefore the Commonwealth can the better license the publication, and the breach of the bond of secrecy, in which the *Confessor* stood tyed to the penitent by vertue of implicit stipulation.

*L. quod Maior
ff. ad Muni-
cipalem.*

*ff. de regul
juris. ad S. re-
fertur.
L. 7 S. ult. ff.
de pact.*

4 Lastly, even in speciall in the very case of Treason confessed, many of their owne doe actually practise a publication, when either they are loyall of themselves, or dare not be otherwise.

I instance first in the Church of *France*. For this See *Bodin*, who reports of a *Norman* Gentleman whom his *Confessor* discovered for having confessed a Treasonable purpose he sometimes had, of killing *Francis* the first, of which hee was penitent, did his penance, craved absolutiō obtain'd it but yet was sentenc'd to the axe by expresse commission from the King to the Parliament of *Paris*. The like confession was made by the Lord of *Haulteville* when he was in danger of death, which when he had escaped, he incurred it with the disadvantage of publike infamy upon the Scaffold. I instance not in the case of *Barriere*, it is every where knowne as it is reported partly by *Thuanus*, but more fully by the Authour of *Histoire de la paix*. Nor yet is *France* singular in the practise of publication of confessed Treason. For at *Rome* there have been examples of the like, I meane of those who confessed their purpose of killing the Pope, who were revealed by their *Confessors*, and accordingly punish'd.

De republ.
lib. 2. cap. 5.

Histoire de
la paix.

Dominic. &
soto. memb.
3. q. 4. concl.
2. de rat. re-
gendi secret.

Thus then the first pretence proves a nullity, & either our Laws are just in commanding publication of confession in case of Treasō, or themselves very culpable in teaching & practising it in the same, & in cases of lesse moment. The 2^d is like the first for it is extremely vain to pretend that the scale of confession is

founded upon *Catholike* traditiō. Iudg by the sequel.

Lib 7. hist.

c. 16.

Τὰς υἱοὺς δ-

θεῖας συναι-

ρεῖς καὶ ἐξαπο-

ρδους δι' αὐ-

τὰς βίβλους ἐκ-

μυστῶν ἐκ

ἐκείνων οἱ

Πατέρες ἡ-

μῶν.

Epist. ad

Amphil.

The first word I heare of concealing confessions is in *Sozomen*, relating how the *Greeke Church* about the time of *Decius* the Emperor, set over the penitēts a publike penitentiary Priest, who was bound to be *Vir bonæ conversationis*, *servansq; secretum*, a good man and a keeper of secrets, for indeed he was bound to conceale some crimes, in particular those which an Adulteresse had confessed, I meane concerning her Adultery, as appears in the *Canons of S. Basil*. But yet this Priest who was so tyed to a religious secrecy did publish many of them in the Congregation before the people, that they might reprove the delinquent and discountenance the sinne. The same story is reported by *Cassiodore*, and *Nicephorus* from the same Authour.

Homil. 2. in

37. Psal.

The lawfulnessse and practise of publication in some cases is as cleere in *Origen*. If (saith he) the Physician of thy soule perceives thy sinnes to be such as to need so harsh a remedy as to have them published before the assemblies of the people, that others may be admonished, & thou the better cured, he need be very deliberate, and skilfull in the application of it. Hitherto no such thing as an Univerfall tradition for the pretended inviolable sacramentall seale, for *Origen* plainly, and by them confessedly speakes of such sins as first were privately confessed to the Priest; how else should hee deliberate of their publication? but yet he did so, and for all the seale of confession, sometimes opened many of them, to no fewer wit-
nesses

nesses then a whole assembly. Thus it was in the *Greeke Church* both Law and Custome. But now if we look into the *Latine Church* wee shall find that it was taken up from example of the *Greeks* and some while practis'd, that some particular sinnes should be published in the Church before the Congregation, as it is confessed in the Councell of *Mentz*, and inserted by *Burchard* into his *Decree*.

Cap. 10. 6.
21.
l. 19 c. 37.

But when the *Lay* piety began to coole, and the zeale of some Clergy men waxe too hot, they would needs heighten this custome of publication of some sinnes to a Law of the publishing of all sinnes. This being judg'd to be inconvenient, expressed the first decree for the scale of confession in the *Latin Church*. Now see how it is utter'd, and it will sufficiently informe us both of the practise and the opinion which *Antiquitie* had of the obligation to the scale.

Illam contra Apostolicam regulam presumptionem, &c. that is, it was against the Apostolicall ordinance that a Law should enjoin that the Priest should reveale all those sinnes which had beene told him in confession. It might be done so it were not requir'd and exacted, and yet might be so requir'd, so it were not a publication of all. *Non enim omnium hujusmodi sunt peccata*; saith *S. Leo*, some sinnes are inconvenient to be published, it is not fit the world should know all, therefore, some they might, or else hee had said nothing. The reason which he gives makes the businessse somewhat clearer, for hee derives it not from

Decret. S. Le-
onis. P. M. E.
p. 80. ad e-
p. 6. Campan.

from any simple necessity of the thing or a *Divine Right*, but least men out of inordinate love to themselves, should rather refuse to be wash't then buy their purity with so much shame. The whole Epistle hath many things in it excellently to the same purpose.

I say no more, the Doctrine and practise of antiquity is sufficiently evident, and that there is nothing lesse then an *Univerfall tradition* for the scale of confession to be observed in all cases, even of sins of the highest malignity.

Thus these Fathers *Confessors* are made totally inexcusable by concealing a Treason which was not revealed to them in a formall confession, and had been likewise culpable though it had, there being as I have showne, no such sacrednesse of the *Scale* as to be inviolable in all cases whatsoever.

I have now done with the severall considerations of the persons to whom the Question was propounded, they were the Fathers *Confessors* in the day, but it was Christ the Lord in my text. The Question it selfe followes.

Shall we command fire to come from heaven and consume them?

The Question was concerning the fate of a whole Towne of *Samaria*, in our case it was more; of the Fate of a whole Kingdome. It had been well if such a Question had been silenc'd by a direct negative or (as the Iudges of the Areopage used to doe) put off *ad diem longissimum*, that they might have expected the answer three ages after.

De morte hominis nulla est cunctatio longa,
 No demurre had been too long in a case of so much
 and so royall blood, the blood of a King, of a Kings
 Children, of a Kings Kingdome. *Περαιὸν Περαιὸν*
waides, King and Kingdome should have & been made
 a solemn sacrifice to appease their solemn deliberate
 malice. I said deliberate, for they were loth to be ma-
 licious without good advice, and therefore they askt
 their question, worthy of an Oracle, even no lesse
 then *Delphick*, where an evill spirit was the *Numen*,
 and a Witch the Prophet. For the Question was
 such of which a Christian could not doubt though
 he had been fearefully scrupulous in his resoluti-
 ons. For whoever question'd the unlawfulness of
 murder, of murdering innocents, of murdering them
 who were confessed righteous? for such was their
 proposall, being rather willing that *Catholiks* should
 perish with those whom they thought, hereticks,
 then that their should be no blood spilt. But to the
 question: it was fire they called for. The most merci-
 lesse of all the Elements. No possibility of relenting
 when once kindled and had its object. It was the fit-
 test instrument for mercilesse men, men of no bowels
 whose malice like their instrument did *agere ad ex-*
tremum suarum virium, worke to the highest of its
 possibility. Secondly, It was fire indeed they called
 for, but not like that in my text, not fire from heaven,
 They might have called as long and as loud as those
 Priests did, who contested with *Elisha*, no fire would
 have come from heaven to have consum'd what they
 had intended for a sacrifice. Gods *Anathema's* post

not so fast as ours doe. *Deus non est sicut homo*. Man
curseth often when God blesseth, men condemne
whom God acquits, and therefore they were loath
to trust God with their cause, they therefore take it
into their own hands. And certainly if to their *Ana-*
themas they adde some fagots of their own and
gunpowder, 'tis oddes but then we may be consum'd
indeed, and so did they, their fire was not from hea-
ven.

Lastly, it was a fire so strange, that it had no ex-
ample. The Apostles indeed pleaded a mistaken pre-
cedent for the reasonableness of their demand, they
desir'd leave to doe but *even as Elias did*. [The
Greekes only retaine this clause, it is not in the Bi-
bles of the Church of *Rome*] and really these *Roma-*
no-barbari could never pretend to any precedent for
an act so barbarous as theirs. *Adramelech* indeed
kil'd a King, but he spar'd the people, *Haman* would
have killed the people, but spared the King, but
that both King and people, Princes and Iudges,
branch, and rush and root should dye at once (as if
Caligula's were actuated and all England upon one
head) was never known till now, that all the malice
in the world met in this as in a center. The *Sicilian*
evenlong, the mattins of *S. Bartholomew*, known for
the pittifull and damn'd massacres, were but *νεκρὸν*
οὐρανὸν, the dream of the shadow of smoke if com-
par'd with this great fire. *In tam occupato seculo fa-*
bulas Vulgaris nequitia non invenit. This was a busy
age; *Herostратus* must have invented a more sublim'd
malice then the burning of one Temple, or not have
been

been so much as spoke of since the discovery of the *Powder-Treason*. But I must make more hast I shall not else clime the sublimity of this impiety. *Nero* was sometimes the *populare odium* was popularly hated, and deserv'd it too, for he slew his Master, and his wife and all his family once or twice over, opened his mothers wombe, fired the Citty, laught at it, slandered the Christians for it, but yet all these were but *principia malorum*, the very first rudiments of evill. Addethen to these, *Herods* Master-piece at *Ramah* as it was deciphred by the teares and sad threnes of the Matrons in an Vniverfall mourning for the losse of their pretty infants, yet this of *Herod* will prove but an *infant* wickednesse, and thar of *Nero*, the evill but of one citty. I would willingly have found out an example, but I see I cannot, should I put into the scale the extract of all the old *Tyrants* famous in Antique stories,

Bristonij stabulum Regis, Busiridis aras,

Antiphata mensas & Taurica regna Thoantis,

Should I take for true story the highest cruelty as it was fancied by the most hieroglyphicall *Egyptian*, this alone would weigh them down, as if the *Alpes* were put in scale against the dust of a ballance. For had this accursed *Treason* prosper'd, we should have had the whole Kingdome mourne for the inestimable losse of its chiefest glory, its life, its present joy, and all its very hopes for the future. For such was their destined malice, that they would not only have inflicted so cruell a blow, but have made it incurable, by cutting off our supplies of joy, the whole suc-

cession of the *line Royall*. Not only the Vine it selfe but all the *Gemmula*, and the tender *Olive branches* should either have been bent to their intentions, and made to grow *crooked*, or else been broken.

And now after such a sublimity of malice, I will not instance in the sacrilegious ruine of the neighbouring Temples which needs must have perished in the flame, nor in the disturbing the ashes of our intomb'd Kings devouring their dead ruines like *Sepulchrell dogs*, these are but minutes, in respect of the ruine prepared for the living Temples.

Stragem sed istam non tulit

Prudent, by-
me.

Christus cadentum Principum

Impune, ne forsan sui

Patris periret fabrica.

Ergo quae poterit lingua retexere

Laudes Christe tuas, qui domitum struis

Infidum populum cum Duce perfido:

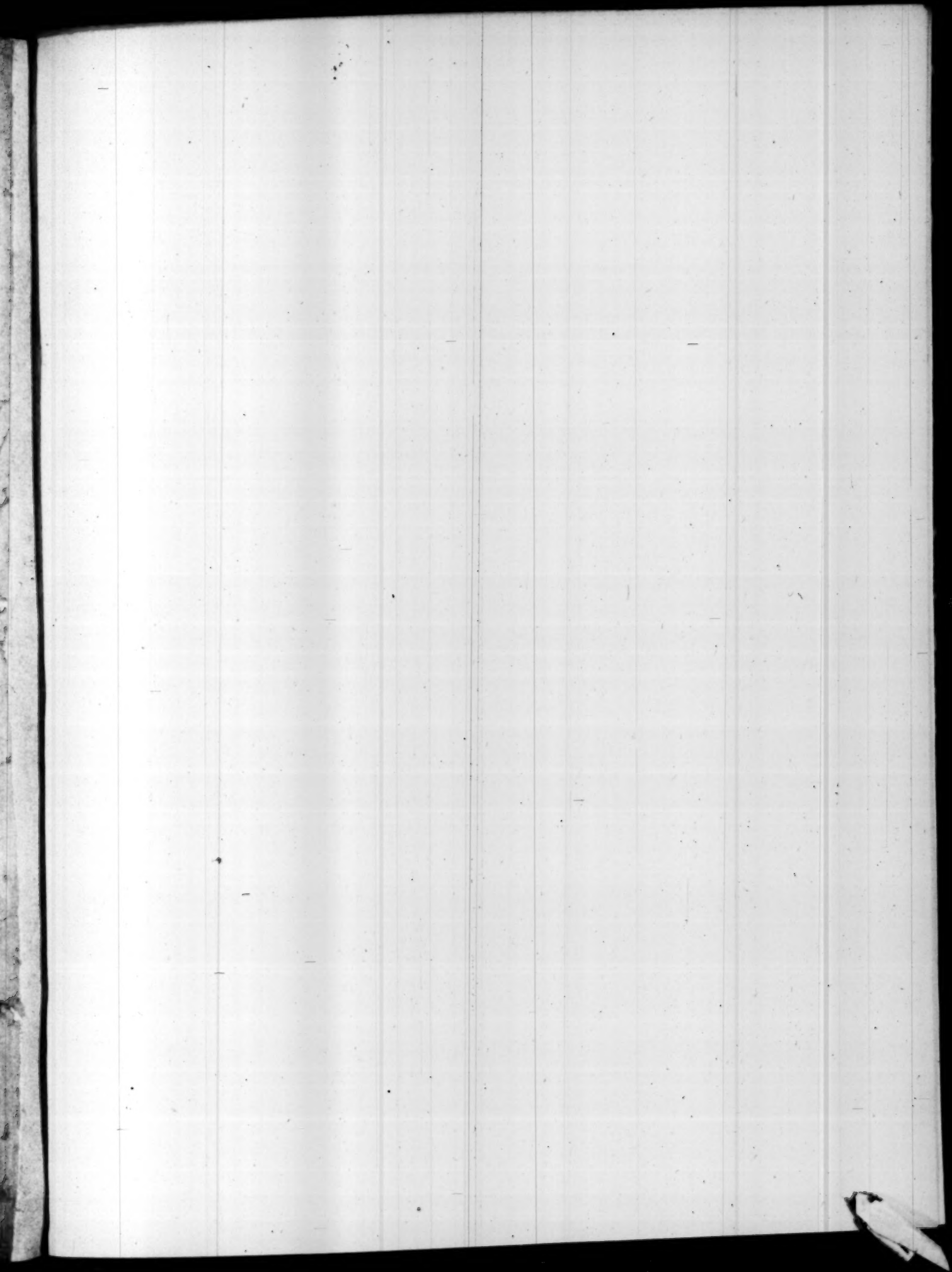
Let us then returne to God the cup of thanks-giving, he having powred forth so largely to us of the cup of *salvation*. We cannot want wherewithall to fill it, here is matter enough for an eternall thankfulnesse, for the expresseion of which a short life is too little, but let us here begin our *Hallelujahs* hoping to finish them hereafter, where the many quires of Angels will fill the consort.

Psal. 135. v. 7
20. 21.

Praise the Lord ye house of Levi, ye that fear the Lord, Praise the Lord. Praise the Lord out of Sion, which dwelleth at Hierusalem.

FINIS.





cession of the *line Royall*. Not only the *Vine* it selfe but all the *Gemmula*, and the tender *Olive branches* should either have been bent to their intentions, and made to grow *crooked*, or else been broken.

And now after such a sublimity of malice, I will not instance in the sacrilegious ruine of the neighbouring Temples which needs must have perished in the flame, nor in the disturbing the ashes of our intomb'd Kings devouring their dead ruines like *Sepulchrell dogs*, these are but minutes, in respect of the ruine prepared for the living Temples.

Prudent. by-
207.

*Stragem sediſtam non tulit
Chriſtus cadentum Principum
Impune, ne forſan ſui
Patris periret fabrica.*

*Ergo quæ poterit lingua retexere
Laudes Chriſte tuas, qui domitum ſtruis
Inſidum populum cum Duce perſidas.*

Let us then returne to God the cup of thanks-giving, he having powred forth so largely to us of the cup of salvation. We cannot want wherewithall to fill it, here is matter enough for an eternall thankfulnesse, for the expreſſiou of which a short life is too little, but let us here begin our *Hallelujahs* hoping to finish them hereafter, wherethe many quires of Angels will fill the consort.

Pſal. 135. 20.
20. 21.

Praiſe the Lord ye houſe of Levi, ye that fear the Lord, Praiſe the Lord. Praiſe the Lord out of Sion, which dwelleth at Hieruſalem.

FINIS.



